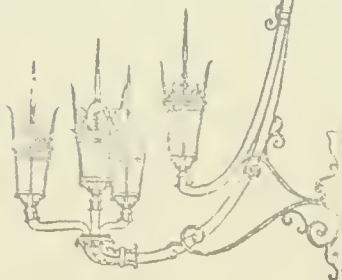


COV 106

BRA

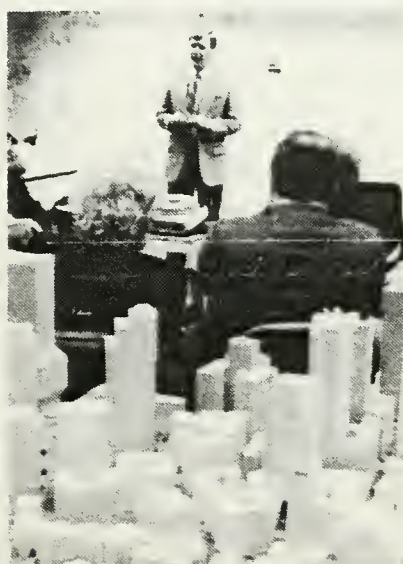
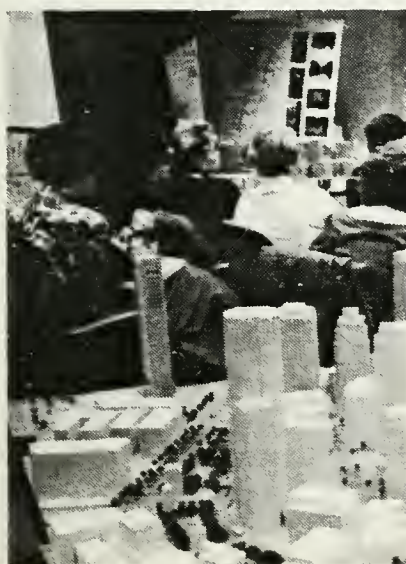
1388

BOSTON
PUBLIC
LIBRARY



COMMUNITY COMMENTS

MIDTOWN CULTURAL DISTRICT PLAN



PLAN TO MANAGE GROWTH

January 1989

CITY OF BOSTON
RAYMOND L. FLYNN
MAYOR

**OFFICE OF ARTS &
HUMANITIES**
BRUCE ROSSLEY
COMMISSIONER

BOSTON
REDEVELOPMENT
AUTHORITY

STEPHEN COYLE
DIRECTOR

KRISTEN McCORMACK
DIRECTOR,
MIDTOWN CULTURAL DISTRICT

ROBERT L. FARRELL
CHAIRMAN

JOSEPH J. WALSH
VICE-CHAIRMAN

JAMES K. FLAHERTY
TREASURER

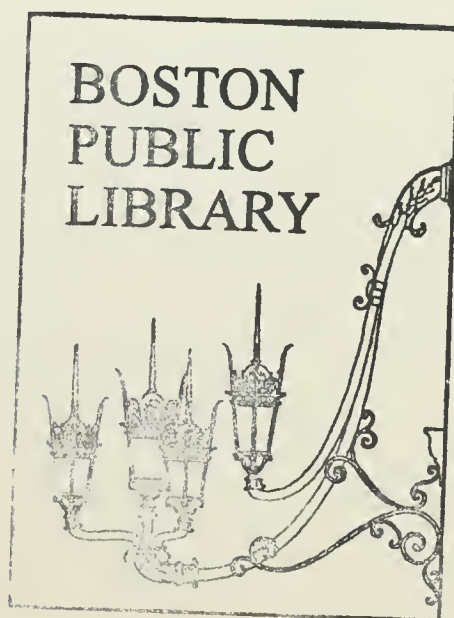
CLARENCE J. JONES
VICE TREASURER

MICHAEL F. DONLAN
VICE-CHAIRMAN, SUB COMMITTEES

KANE SIMONIAN
SECRETARY

TABLE OF CONTENTS

- I INTRODUCTION
- II SUMMARY OF LETTERS
- III COMMUNITY LETTERS



I INTRODUCTION

MEMORANDUM

TO: Stephen Coyle
FROM: Kristen McCormack
DATE: January 12, 1989
SUBJECT: Public Comments on Midtown Cultural District Plan and Zoning

The planning process for the Midtown Cultural District Plan began in October of 1984 when over 70 representatives of Boston's arts organizations met at City Hall to address the key issues affecting the arts community through the next decade. Since that time over 370 meetings have been convened with arts and cultural organizations, neighborhood residents and property owners, representatives of constituent organizations having an interest in the Midtown Cultural District, and elected officials.

In October of 1986 the expanded and diverse community group formally convened as the Midtown Cultural District Task Force, followed in 1987 by formal designation as the Citizens Advisory Committee for the Midtown Cultural District.

Community meetings and briefings covered issues such as creating cultural facilities, providing growth opportunities for Chinatown, historic preservation and reuse of existing buildings and theaters, transportation access, open space planning, workforce planning, environmental impact, building height and density, district urban design, day care, building affordable housing and neighborhood business opportunities. Comments on all aspects of the Midtown Cultural District Plan and zoning were requested of the community. The Boston Redevelopment Authority has received over 100 letters from area residents and organizations indicating specific suggestions to improve the plan and the zoning. The sense of the comments are listed below by issue.

The Boston Redevelopment Authority and the Boston Zoning Commission recommended and adopted a Downtown Interim Zoning Plan in September of 1987 which required the creation of a plan for the area known as the Midtown Cultural District. An initial draft of the zoning plan was released on July 14, 1988. Over 30 people testified at a well attended public hearing in the City Council Chambers. After review and public comment, a second draft was released on December 8, 1988. Again, over 40 individuals, elected officials and organizations testified in favor of the plan and the zoning. The final recommended plan which will go to the Zoning Commission reflects the public comments made on prior drafts of the zoning plan.

Cultural Facilities

The issues discussed in the comment letters covered the full range of topics raised in the community debate, including the critical question of creating

cultural facilities. The preponderance of the comments received requested that creation of cultural facilities be a basic requirement for the plan. Specifically, the majority of comments supported the requirement that cultural facilities be a component of new development in the district. Section 38-14 includes the requirement that significant new commercial development provide a new theater, or a rehabilitated theater, in preference to other historic buildings.

A significant but lesser number of comments supported creation of cultural facilities, but commented that greater development incentives may be necessary. Other comments requested that creation of facilities be related to the Midtown Cultural District Plan, rather than a simple volume requirement, and that provision should be made for phased theater development. Strengthened guarantees for creation and equipment level of cultural facilities were also requested. Public management of cultural facilities should be possible.

The final zoning reflects these comments. Section 38-11 indicates the development incentives for provision of theaters. Specific formulae were deleted in favor of a requirement that facilities be related to those found necessary in needs surveys. Sections 38-14.4, 38-14.6 add guarantees of uses, and make public management possible.

Historic Preservation

Comments suggested protecting the Ladder Blocks, targeting rehabilitation credits to theaters, adding design guidelines for historic areas, and protecting the Washington Street streetwall. The general sense of these comments was to make preservation a priority in those specific areas where historic buildings predominate.

The zoning has been revised to reflect these priorities, through the addition of protection areas and design guidelines, while rooftop additions have been made the subject of design review. These provisions, in Sections 38-5, 38-6, and 38-20, are new to this zoning and were not present in the Downtown Interim Zoning Plan.

Other comments were received as to whether the zoning should accomplish preservation on a building by building basis, or on an area basis. The zoning was revised to conform to National Register and National Register-eligible district boundaries in response, through the creation of Protection Areas for the Ladder Blocks District, the Piano Row District, the Washington Street Theater District, and the Newspaper Row District.

Enhancing Chinatown

Comments regarding Chinatown focused on the opportunities for provision of affordable housing and neighborhood business opportunities, protecting existing residences, and providing a transition to the lower building scale Chinatown neighborhood. The percentage of affordable housing was increased in Section 38-14, governing development plan approval, neighborhood business opportunities required in Section 38-18, anti-displacement provisions added as a new Section 38-17, and the areas abutting Chinatown removed from Planned Development Area designation. In addition, a Small Business Expansion Area was added to those areas adjacent to Chinatown.

General comments were received in favor of the plan from several Chinatown organizations. Some comments requested ongoing transportation, economic, and environmental planning, which is now a requirement of the zoning.

Transportation

Comments supported strong transportation access management. Some comments suggested specific measures, which have been made either part of the zoning or have been implemented in proposed development plans. These measures include transportation access and management plan requirements. In addition, new parking meets or exceeds the levels suggested by commentators.

Open Space Planning and Environmental Impact

Several comments suggested creation of an open space plan. Such a plan has been made a specific requirement for the Hinge Block in the zoning, and a district plan is now underway. This is the plan for the Hinge Block Special Study Area, established in Section 38-9.

Comments have also requested comprehensive wind and shadow studies for the Boston Common. The zoning now includes specific shadow mitigation requirements. In addition, other environmental impacts must meet explicit standards. Protection areas were extended to provide further protection to the Old Granary Burial Ground as well as the Boston Common. The Midtown zoning includes a set of environmental requirements, in Section 38-16, which exceed any requirements previously set for development in Boston.

Building Height and Density

Most comments generally approved of the building heights and densities set by zoning. Building heights in areas abutting Chinatown and Bay Village were reduced in response to concerns raised in those neighborhoods, and a mix of uses required. Other comments urged increasing Planned Development Areas, allowing discretion in setting heights in PDAs and setting uniform height limits within them. The uniform height limits now apply. In addition, the protection area height limits help to ensure rehabilitation, rather than replacement, of historic buildings.

Many comments urged preserving flexibility in planning for the Hinge Block. In response, the zoning provides for a special study of the Hinge Block. This study will focus on issues such as preservation, open space, cultural facilities, and neighborhood business opportunities.

District Urban Design

Many comments were received on district urban design. Several comments suggested greater emphasis on historic street patterns and pedestrian passageways, and the zoning now requires such an emphasis, in Section 38-16. The treatment of towers was also a significant concern, and a set of tower design criteria have been incorporated into the zoning, including minimum tower distances. More flexibility of design is possible under the zoning as revised, reflecting the

concerns of several commentators, such as allowing averaging of floor plate size while setting minimum size of 25,000 square feet.

The treatment of the street level also produced several comments, with many requesting design review of display windows. The design review was added. Street wall setbacks were another source of comments, with some favoring more flexibility while others expressed strong support for the concept. Section 38-19, Specific Design Requirements, includes the display window, setbacks, and tower treatment regulations.

Day Care

The day care provisions of the zoning received almost unanimous support among the commentators. One comment suggested revising the day care regulation to reflect more closely the demand for on-site day care. However, a suggested deletion from the zoning of the day care provision was not made. Instead, Section 38-19.3, Use Regulations, was revised to require an on-site facility, while permitting some flexibility to locate additional facilities in nearby or adjacent areas.

Neighborhood Business Opportunities

Most comments supported the concept of neighborhood business opportunities. Several comments requested that a set-aside of space not be required, but rather that the focus should be on affirmative marketing and provision of incubator space. The zoning was revised to require affirmative marketing and incubator space, with no minimum or maximum ceiling on space available for lease by neighborhood businesses. Further neighborhood business opportunities will be available as a result of the identification of a Small Business Expansion Area, in which store sites are tailored to those of small businesses.

Other Comments

Other comments were received on issues such as boundaries, off-street loading requirements, and transferable development rights. The suggestions regarding off-street loading was that it should be a function of design review; this suggestion was adopted. The boundary between Midtown and Chinatown was revised. The proposal for transferable development rights was rejected in favor of an approach based on Planned Development Areas. In 1987, the Massachusetts Supreme Judicial Court upheld the Planned Development Area mechanism as a valid areas of weighing the benefits and burdens of large-scale private development.

Several comments were received which concerned parking and adult entertainment. The zoning does not change the fact that parking is a conditional use, nor does it alter the status of adult entertainment uses; however, an exclusion from FAR for the latter was deleted.

Some comments were received regarding the treatment of institutional uses, and reducing the potential for conflicts between housing and entertainment uses. The housing priority area regulation has been revised to reduce the potential for conflict with entertainment uses. Some comments supported greater emphasis on providing support for community services, and an increase in FAR of up to 1 is

providing support for community services, and an increase in FAR of up to 1 is now provided for space devoted to community services, regardless of their location within the district.

Conclusion

The issues discussed in the comment letters covered the full range of issues debated in the community for the past nine months. This report presents a summary of the key comments in each letter and a copy of each letter received by the BRA. This material is presented to further the dialogue on the Midtown Cultural District Plan.

II SUMMARY OF LETTERS

Kevin Fitzgerald
Fitz-Inn Auto Parts
(Jake Wirth's Hinge Block)
09-28-88

Michael O'Connell
Rackemann, Sawyer (Fitzgerald
Investment Trust; Union
Warren, Liberty Tree,
Washington-Beach)
09-29-88
12-08-88

David Ries
Goodwin Proctor Hoar
12-30-88

Myrna Putziger
Ad Hoc Zoning Committee
12-30-88

Cathleen Douglas Stone
Fine & Ambrogne
(110-120 Tremont)
01-05-88

- o Economic Feasibility -- significant private investment may need more than 125' -155' height and FAR 8-10 to yield a return.
- o Uses -- substantial offices and housing are needed in proximity; nightclubs are undesired.
- o Economic Feasibility -- should recognize and discuss appropriate incentives and rewards for private investment.
- o Washington Boundary -- historic and existing uses should preclude dividing the street.
- o Special Study Area -- needs clarification; preferred the enhancement area.
- o "Grandfathering" phased projects -- permits should be provided when benefits are provided up front.
- o Several technical comments
- o Height/FAR -- allow 125' -155' on Tremont if sufficiently set back.

Amerimar Realty Co.
(500 Washington)
08-09-88

Larry DiCara
(Washington-Pilgrim &
LaGrange Street Realty Trusts)
10-04-88
12-08-88

Ron Druker
(Orpheum/Corner, etc.)
10-07-88
10-11-88
12-13-88
12-22-88

- o Preservation -- 600 Washington is historically insignificant.
- o Theater -- Essex is historically insignificant and uneconomical.
- o Economic Feasibility -- incentives are inadequate.
- o Expand PDA -- 650' / 15 FAR, like the Park Plaza Plan is closer to what is necessary.
- o Washington Boundary -- inappropriate division of Midtown Cultural/entertainment and Chinatown housing/industrial.
- o Parking -- plan should note the importance of off-street parking.
- o Special Study Area - commence immediately on Hinge Block and complete within nine months.
- o Expand PDA - 310' / 12 FAR.
- o Preservation -- Article 38 should preclude BLC categories 3 & 4; historic designation of Ladder Blocks is not properly a zoning function.
- o Streetwalls & Setbacks -- requirements should preclude the Hamilton Place "endwall" to accommodate a tower set-back from Washington/Bromfield/Winter; further clarification necessary.
- o Display Window Area -- glazed lobby doors and views into lobbies/atrium should be included.
- o Maximum Floor Plate -- 40,000 below 125'; 23,000 above 125', revised 22,500 above 125' or a criterion for design review.
- o Theater -- volume requirements should be less than 25% of the Orpheum; or new volume should be determined in the plan review process rather than by an absolute percentage.
- o Street Designation -- Bromfield should be minor.
- o Property should be designated a Special Study Area.



John Kessler, Jr.

o Expand PDA -- include Tremont Heritage to unify the development parcel.

Gaston & Snow
(Commonwealth Center)
10-17-88
12-30-88

- o Theaters -- allow more flexibility in the phasing of projects, and use permits vis-a-vis rehab/new construction.
- o Housing -- needs clarification regarding on-site vs. off-site.

Paul Bouton
Peabody & Brown
(Pavilion)
11-01-88

- o Incentive FAR - credit off-site affordable housing creation pursuant to Parcel to Parcel Linkage.
- o NBO - clarify qualification for floor area exclusions.

Larry Murray
Midtown Cultural District Task
Force
12-29-88

- o Acknowledge concerns voiced by the Downtown Crossing Association.
- o Theaters -- clarifying definition of development or substantial rehab, and of what qualifies as a cultural facility; support replacement of a theater.

Bethany Kendall
Downtown Crossing Association
11-15-88
12-28-88

- o Expand PDA -- include block bounded by winter and Bromfield Streets and the Boston Crossing site.
- o NBO -- consider Affirmative Marketing rather than a gross floor area percentage.
- o Display Window Area -- consider within design review rather than through zoning regulation.

Valerie Burns
Mark Primack
Boston Greenspace Alliance
11-15-88
12-06-88
12-29-88

- o Open Space - conduct further study/analysis of area's proposed development in terms of cumulative impacts; additional shadow studies requested.
- o Height -- support height limits adjacent to Common.
- o Boston Common -- should be treated as a whole; no new construction.



- o Establish PDA for Parcel 31; at least one larger-scale building is necessary for economic viability.
- o Housing -- evaluate an appropriate mix of market/affordable.
- o NBO -- encourage Affirmative Marketing and the provision of incubator space.
- o Retail -- evaluate an appropriate mix of consumer/service.
- o Loading/Servicing -- off-street; LaGrange should be a pedestrian way.
- o Public Realm -- a single entity should be responsible for security/maintenance, and should program all space.
- o Master Plan -- establish a committee representative of 5 Center City neighborhoods; use all available subsidies.

Jerome Grossman
New England Medical Center
Hospital
11-18-88
12-01-88
12-13-88

- o Institutional Master Plan Area -- allow institutional and accessory uses, including ground floor ambulatory care; don't preclude administrative office and employee housing outside of such an area.
- o Day Care -- credit current development of facility to a future project elsewhere; allow playground use at Eliot Norton Park; supports day care provision.
- o NBO -- provide clarification.
- o Rooftops and Setbacks -- provide clarification regarding unique dimensions at the P-7/Wilbur site.
- o Expand PDA - include Orpheum site at 310'.
- o Housing Priority Area- clarify boundary.
- o Preservation -- treat Ladder Blocks as a whole through School Street, permitting roof-top additions and Investment Tax Credits; protect historic structures in Enhancement Area I, and oppose inclusion of 600 Washington in Enhancement Area II.
- o Theater -- prioritize existing historic theaters if "listing" rehabilitation possibilities.
- o Supports plan presented 12-8-88.

Antonia Pollak
Boston Preservation Alliance
11-21-88
Susan Park
12-05-88
12-08-88



- o Maximum Floor Plate- severely limits ability to benefit from enhancement area provisions.
- o Special Study Area -- proposal to create a Gilchrist's/Jewelers Special Study Area.

Marilyn Sticklor
Goulston & Storrs
(Ron Druker)
11-30-88
12-21-88

Henry Lee
Friends of the Public
Garden and Boston Common
12-05-88
12-14-88
12-27-88

- o Supports some height increase along Bromfield Street; supports decision to eliminate Enhancement Areas.
- o Open Space - conduct further study/analysis of area's proposed development in terms of cumulative impacts; additional shadow studies needed; provide additional open space; Common should be treated as a whole.
- o Maximum Floorplates - place limits above 155'.
- o Height -- reduce height of Commonwealth Center Tower.

David Rideout
Palmer & Dodge
(Boston Crossing)
12-06-88

- o Several technical amendments.

Irving Busny
Building Owners and
Managers Association
12-06-88

- o Day Care - delete as a zoning requirement, at least until a broader detailed program can be developed.

Chinatown Housing
and Land Development
Task Force
12-07-88

- o Buildout - needs further environmental study/analysis.
- o Land Use - avoid dominance of office, upscale retail and luxury housing development.
- o Incentive FAR - communities need more input regarding impact evaluation and appropriate benefits.



Sue Marsh
Massachusetts Coalition
for the Homeless
12-07-88

Jeremiah Sullivan
Filene's
12-07-88

- o Enhancement Areas - include Filene's site.

Quincy School
Community Council
12-08-88

- o Equal opportunity, transportation, potential gentrification -- need further study.

Alexander Bok
Bay Village
Neighborhood Association
12-08-88

- o Height -- reduce C-4 to as-of-right 155'; reduce height at Don Bosco site.

Alan Schwartz
Boston Landmarks
Commission
12-08-88

- o Preservation -- as-of-right heights may produce insurmountable pressure on small scale historic buildings; supports restoration of historic theaters and Landmark properties.

Dona Summers
Stage Source
(Midtown Cultural District
Task Force)
12-21-88

- o Theaters -- clarifying definition of development or substantial rehab, and of what qualifies as a cultural facility; assure creation of cultural facility; assurance of new facility when demolition permit is issued.
- o Uses -- FAR qualifying uses should be the only uses.

Conservation Law Foundation
12-08-88

- o Transportation -- provide additional transportation analysis; provision of parking in office buildings over 50,000 sq.ft. should not exceed one space per 1,200 sq.ft. of gross floor area; requirement to establish a Department of Commuter Services.



Urbanarts
12-07-88

Todd Lee
Boston Society of
Architects
12-08-88 (2)
01-06-89

- o Urge the creation of the BCDC; general support.
- o Open Space -- request plan be done.
- o Space between towers -- increase
- o Height -- allow more with increased slenderness.
- o Maximum floor plates -- reduce to 15,000-20,000 above 155'.
- o Design -- allow greater flexibility.
- o Preservation -- provide incentives for preservation and reuse.
- o Needing further study -- shadows, setbacks, skyline plan.

Robert Coard
Action for Boston
Community Development
(178 Tremont)
12-22-88

- o Community Service Space - requests additional incentives, especially considering restrictions to building growth at their site.
- o Parking - provide for affordable facilities.

Thomas May
Boston Edison
12-22-88

- o Expand PDA - include Kingston substation site.

Rodney Armstrong
Boston Athenaeum
12-29-88

- o Open Space - oppose any shadows on Granary Burial Ground.
- o Support letter.

George Nutter
Nutter Finegold
& Alexander
12-29-88

S. Maxwell Beal
A.W. Perry
(Commonwealth Center)
12-30-88

Thomas Carey
Hinckley Allen Snyder &
Cohen
(Tremont on the Common
Trustees)
12-30-88

Pamela Chicklis
St. James Properties
(90 Tremont)
12-30-88

William Moy
Chinatown Neighborhood
Council
12-08-88

Joe Nigro
Boston Building Trades
Council
12-28-88

o FAR -- interior additions should be allowed as-of-right.

o Several technical amendments.

o PDA's I and II: reduce FAR to 10, and II: reduce height to 350'.

o Shadows - need further study.

o Transportation - strengthen pedestrian amenity requirements.

o Urban Design - need greater emphasis; provide flexible framework.

o Support Letter.

o Transportation -- further study of potential traffic impact.

o Cultural Facility -- needs assessment.

o Community Review -- day care regs, NBO regs and detailed project review.

o Height -- allow for discretionary control in PDA's.

o Floor Plates -- allow for discretionary control in PDA's.

o Setback -- allow for discretionary control in PDA's.

o Height -- should be flexible to be economically feasible.

Charles Hendricks
Tremont Temple
12-30-88

o PDA III -- remove use restriction and allow general use.

Anthony Pangaro
Macomber Development
Associates
01-03-89

o PDA -- BRA should have flexibility regarding height and setback.

Marvin Traub
Bloomingdale's
01-04-89



GENERAL SUPPORT LETTERS

H. Mark Smith
Boston Resident Theater Alliance
December 5, 1988

Carmen Buell
Massachusetts Caucus of Women Legislators
Massachusetts Legislature
December 6, 1988

Ellen Convisser
Boston Chapter of the National Organization of Women
December 6, 1988

Saundra Graham
Massachusetts Legislature
December 6, 1988

Bing Wong
Chinese Economic Development Council
December 6, 1988

Rachel Sagan
Women's Bar Association
December 7, 1988

Pamela Worden
Urban Arts
December 7, 1988

Nia-Niama Alimayu
Inner City Council for Children
December 8, 1988

Laura Barrett
MASSPIRG
December 8, 1988

Deanne Bonnar
Office for Children - Region 6
December 8, 1988

Robin Carton
Child Care Resource Center
December 8, 1988

Lorraine Downey
Environment Department
December 8, 1988

MT/04.LST
010988/1

Elaine Fersh
Parents United for Child Care
December 8, 1988

Alma Finneran
ABCD
December 8, 1988

Mary Hines
Boston Women's Commission
December 8, 1988

George Joe
South Cove YMCA
December 8, 1988

Nancy Kruger
Greater Boston YMCA
Metropolitan Offices
December 8, 1988

Monica Mackey
Dance Umbrella
December 8, 1988

Vusumuzi Madona
Sculptor
December 8, 1988

Michael McCormack
Boston City Council
December 8, 1988

Thomas Menino
Boston City Council
December 8, 1988

Diane Modica
Consumer Affairs & Licensing
December 8, 1988

Joseph Nigro
Building & Construction Trades Council
December 8, 1988

Officers & Members of Local 7
International Association of Bridge, Structure
& Ornamental Iron Workers
December 8, 1988

MT/04.LST
010988/2

Bruce Rossley
Arts & Humanities
December 8, 1988

Alexander Twining
F.D. Rich Co.
December 8, 1988

Barbara White
9-5 Organization for Women
December 8, 1988

Laval Wilson
Boston Public Schools
December 8, 1988

Donna Lomp
Metropolitan Boston Child Care Network
December 19, 1988

Ron Rothman
Artists Foundation
December 27, 1988

De Ama Battle
Art of Black Dance and Music
December 28, 1988

Doris Chu
Chinese Culture Institute
December 28, 1988

Richard Concannon
Bacon-Concannon Associates
December 29, 1988

William Constable
A.W. Perry
December 29, 1988

Peter Harris
Jamaica Plain Chamber Orchestra
December 29, 1988

Anne Hawley
Massachusetts Council on Arts & Humanities
December 29, 1988

Bruce Rossley
Arts & Humanities
December 29, 1988

Warren Smith
Boston Bank of Commerce
December 29, 1988

Dona Sommers
Stage Source
December 29, 1988

Ira Sutton
Thunder Road
December 29, 1988

Edward Williams
Creating-It-Through Productions
December 29, 1988

Rebecca Hill
BAAA
December 30, 1988

William Moy
Chinatown Neighborhood Council
January 3, 1989

III COMMUNITY LETTERS

FITZ-INN AUTO PARKS, INC.



Fitz-Inn, 216 Tremont Street, Boston, Massachusetts 02116, (617) 482-7740

September 28, 1988

Boston Redevelopment Authority
Stephen Coyle, Director
Boston City Hall
Room 925
Boston, MA 02201

Dear Mr. Coyle:

The purpose of this letter is to comment on certain aspects of the proposed Midtown Cultural District Zoning Plan and the accompanying document entitled Midtown Cultural District Plan, A Framework for Discussion (together, the "Plan"). My family and I own the Jacob Wirth Buildings at 31-39 Stuart Street and operate Jake Wirth's restaurant on the premises (together, "Jake Wirth's").

At the outset, we want to commend you and your colleagues at the BRA for the major research and planning effort which is represented by the Plan. By reason of its breadth, detail and joint input by governmental, community-based and professional personnel and interests, the Plan will serve as a solid foundation for careful discussion and future development in the Midtown area. My family and I wholeheartedly endorse the Plan's perspective of protection and enhancement of the public realm and the public interest through encouragement of private enterprise.

My family purchased Jake Wirth's in 1975, a time when the 1971 Park Plaza Urban Renewal Plan was in place. At that time, Jake Wirth's was in bad shape -- both structurally/physically and economically. During the period from 1975 to the present:

- (i) my family has maintained the historic restaurant use -- at considerable economic cost;

- (ii) in 1980, Jake Wirth's was individually listed in the National Register of Historic Places;
- (iii) my family has spent approximately \$650,000 in capital improvements alone -- principally in the course of rehabilitating the two 3½-story Greek Revival brick rowhouses that comprise Jake Wirth's in a manner consistent with guidelines and standards established by both the Boston Landmarks Commission and the United States Department of the Interior.

Under the Plan, Jake Wirth's is in the so-called "Hinge Block". The Hinge Block is meant to be the "hub" and "crossroads" of the Cultural District, with development to be low-rise and dominated by an open space network surrounded by cafes and shops -- all in keeping with the preliminary scheme of Benjamin Thompson Associates ("BTA"). We would like to make several comments on the "Hinge Block" proposal in the Plan and respectfully submit them here.

First, my family and I are very much in agreement with the Plan's underlying concept that major public subsidies are not the answer to the Midtown District's revitalization and development, except in connection with major improvements to the public transportation system (in particular, Boylston Street Station and the Midtown subway line). Rather, private investment is the necessary ingredient. However, private investment must be motivated and rewarded. Frankly, we have serious reservations about the economic feasibility of the scheme proposed by BTA.

The values of land in the area are now so high that single ownership or control of the entire Hinge Block or a substantial portion thereof -- a necessity for a concerted and integrated development scheme -- will require very significant investment. This investment is entitled to a reasonable return. However, we fail to see any reasonable possibility of such a return in the BTA proposal. Indeed, our preliminary calculations indicate that it is doubtful that any scheme which incorporates a large open space network and which works entirely within the proposed height (125'/155') and FAR (8/10) standards could yield such a return. This is not to say that groupings of 450' buildings are the answer. On the contrary,

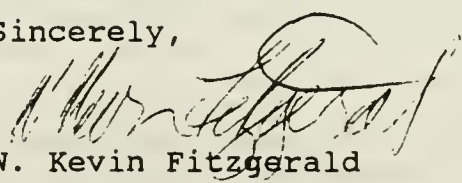
Boston Redevelopment Authority
September 28, 1988
Page 3

~~entirely within the proposed height (125'/155') and FAR (8/10) standards could yield such a return. This is not to say that groupings of 450' buildings are the answer. On the contrary,~~ we tend to agree with the thrust of the Plan that the underlying precepts of the Park Plaza Urban Renewal Plan may no longer be appropriate or in keeping with the needs and goals of development in this part of the City. Our point is only, but firmly, that there must be recognition of the required extent of private investment and there must be sensitivity to the requirements of the financial marketplace. We think the Plan falls short in this regard.

Second, we agree that a pedestrian environment for the Hinge Block makes sense. However, cultural activities alone -- even in a rejuvenated theatre and arts district -- cannot support a pedestrian environment which is safe as well as active throughout the day and evening hours. Such a safe and active environment requires office and housing uses on a substantial scale in the near vicinity -- witness Faneuil Hall Marketplace, for example. In this same context, we disagree with the Plan's encouragement of nightclubs as a complementary use and activity within the Cultural District. We think nightclub activity is likely to undermine the safety of the Cultural District and to reintroduce or increase the presence of adult entertainment in the District.

My family and I look forward to joining with you and your colleagues in the appropriate development of the Midtown District through private investment and we invite you to call upon us to serve and contribute in furtherance of such development.

Sincerely,



W. Kevin Fitzgerald

xc: Robert L. Farrell

100-111-1151-1
RACKEMANN, SAWYER & BREWSTER

PROFESSIONAL CORPORATION
C O U N S E L L O R S A T L A W
ESTABLISHED 1886

ONE FINANCIAL CENTER
BOSTON, MASSACHUSETTS 02111-2650

AREA CODE 617 542-2300
TELECOPIER 617 542-7437

MICHAEL F O'CONNELL
(617) 951-1151

SEP 30 4 20 PM '88
September 29, 1988

Boston Redevelopment Authority
Stephen Coyle, Director
Boston City Hall
Room 925
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Plan

Properties: 216 Tremont Street
 628-636 Washington Street
 660-672 Washington Street
 6-12 Beach Street

Dear Mr. Coyle:

We have been asked by Fitzgerald Investment Trust (the "Trust") to review and comment upon the proposed Midtown Cultural District Zoning Plan (the "Plan"). The Trust owns the properties at 216 Tremont Street (the Union Warren Savings Bank Building) and at 628-636 Washington Street (the Liberty Tree Building). In addition, the Trust has entered into a binding agreement to acquire the property at 660-672 Washington Street and 6-12 Beach Street (the "Washington-Beach Parcel"). The Union Warren Savings Bank Building is located in the so-called "Hinge Block" in the Cultural District. According to the Plan, the Liberty Tree Building and the Washington-Beach Parcel are now located in the Chinatown Planning District.

We think the Plan represents a first-rate planning effort which, together with the accompanying booklet entitled A Framework for Discussion, effectively provides the historical backdrop and the current perspectives of governmental agencies and interested community-based and cultural groups. The Trust is very much in favor of revitalization of the Midtown District -- with special emphasis on housing and cultural uses -- and supports the Plan's endorsement of such revitalization

Boston Redevelopment Authority
September 29, 1988
Page 2

through private enterprise. The Plan, however, does not effectively address the issue of economic feasibility and, without explanation, changes a previously proposed boundary line within the Cultural District.

Economic Feasibility Issue

The Plan encourages revitalization through private investment and limits governmental subsidies to public transportation -- namely, the renovation of the Boylston Street Station and the proposed Midtown subway line. These are themes the Trust agrees with. However, it must be recognized that revitalization of the Midtown District through private enterprise will require very, very significant amounts of private capital: for example, asking prices for land alone in the District range upward from \$350 per square foot. In order to provide the incentives for private capital to invest in the District, there must be reasonable assurance of appropriate returns on that investment. While the Plan acknowledges in the introductory section of the Framework booklet (at page 1-2) that previous efforts have "failed to generate a critical level of investment necessary to spur revitalization of the area as a whole", this fundamental issue is not again considered or expanded upon in the Plan. Indeed, the scheme proposed by Benjamin Thompson Associates and espoused by the Plan for the Hinge Block seems to completely ignore this issue.

We believe that the goals of the Plan can be integrated with the requirements of the economic marketplace. In fact, in some cases private capital can more effectively accomplish those goals than governmental money could. A case in point is the Washington-Beach Parcel which the Trust is acquiring at substantial cost: once acquired, the Trust will have the right to terminate adult entertainment activities on the premises; in the same circumstances, it is very unlikely that the City could so terminate.

In short, the Plan's goals and the necessities of the economic marketplace must mesh -- without one overwhelming the other -- in order for revitalization of the Midtown area to become a reality. As currently drafted, the Plan is lacking both the considered input of private property owners in the Midtown area and the considered recognition and discussion of the appropriate incentives and rewards for private investment.

Boston Redevelopment Authority
September 29, 1988
Page 3

Boundary Issue

The Downtown Interim Planning Overlay District (Article 27D of the Zoning Code) included the Liberty Tree Building and the Washington-Beach Parcel within the Midtown Cultural District. The Plan relocates these properties within the Chinatown Planning District. This relocation is without explanation and is also inconsistent with the written material throughout the Plan which includes the Liberty Tree Building within the Cultural District. See, for example, the discussion of the Liberty Tree District within the chapter entitled "The Cultural District" at page 2-31 of the Framework booklet; the inclusion of the Liberty Tree Building in the list of landmarks in the chapter entitled "The Midtown Cultural District Economy" at page 6-11 of the Framework booklet; and the inclusion of the Liberty Tree Building in Table B of proposed Section 38-7 of the Zoning Code.

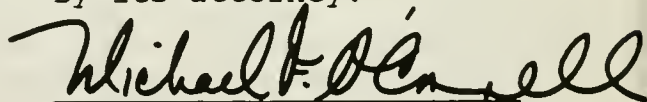
We think the historic and existing uses of the Liberty Tree Building and the Washington-Beach Parcel are much more in keeping with the commercial, cultural and retail uses existing on the opposite side of Washington Street (which is situated in the Cultural District) than they are with those of Chinatown.

The Trust welcomes the effort embodied in the Plan and is enthusiastic about the revitalization of the Cultural District. In particular, the Trust is confident that the goals espoused by the Plan can be integrated into and with the requirements of economic feasibility and looks forward to working with you and your colleagues at the BRA and with other interested groups to turn the proposed revitalization into reality.

Very truly yours,

Fitzgerald Investment Trust

By its attorney:



Michael F. O'Connell

MFO'C:pml
xc: Robert L. Farrell

RACKEMANN, SAWYER & BREWSTER

PROFESSIONAL CORPORATION
C O U N S E L L O R S A T L A W
ESTABLISHED 1886

ONE FINANCIAL CENTER
BOSTON, MASSACHUSETTS 02111-2659

AREA CODE 617-542 2300
TELECOPIER 617 542-7437

MICHAEL F O CONNELL
(617) 951-1151

December 8, 1988

Boston Redevelopment Authority
Steven Coyle, Director
Boston City Hall
Room 925
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Plan
("Proposed Plan")

Dear Mr. Coyle:

We have been asked by several clients which own property in the Hinge Block to comment on the deletion of the "enhancement area" concept from the Proposed Plan. We think the concept is a good, not a bad, idea.

We have previously underscored the necessity that the specifics of the Proposed Plan must be integrated with the requirements of the economic marketplace. In particular, we were skeptical that the originally proposed height (125'/155') and FAR (8/10) standards could yield a reasonable return on the substantial investment needed to provide a responsive and harmonious development. The follow-up "enhancement area" concept tended to alleviate that skepticism. Yet the concept did not surrender any authority to private ownership -- on the contrary: the enhanced height (up to 235') and FAR (up to 12) limits were not an "as of right" entitlement; appropriate governmental agencies were still in charge of, and interested community-based and cultural groups were still an integral part of, the approval process. To our way of thinking, it represented an acceptable "win-win" situation.

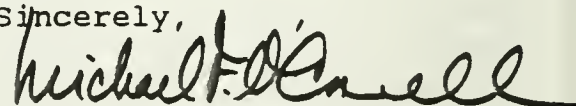
What the now proposed Hinge Block Special Study Area designation represents remains to be seen. And this uncertainty is itself a shortcoming. Our concerns are, first,

Boston Redevelopment Authority
December 8, 1988
Page 2

that the Study designation represent a continuing step forward toward recognition of the marketplace rather than a step backward and, second, that the Study designation not be akin to sending proposed legislation "off to Committee".

We would welcome the opportunity to discuss these comments further with you and your staff.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael F. O'Connell". The signature is fluid and cursive, with the first name "Michael" and last name "O'Connell" clearly distinguishable.

Michael F. O'Connell

MFO'C:pml

xc: Robert L. Farrell, Chairman
Joseph J. Walsh, Vice-Chairman
James K. Flaherty, Treasurer
Clarence J. Jones, Vice-Treasurer
Michael F. Donlan, Vice-Chairman Sub-Committees
Kane Simonian, Secretary

GOODWIN, PROCTER & HOAR

(A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS)

COUNSELLORS AT LAW

EXCHANGE PLACE

BOSTON, MASSACHUSETTS 02109-2881

TELEPHONE 617 570-0000

TELECOPIER 617 523-1231

TELEX 94-0640

CABLE GOODPROCT BOSTON

December 30, 1988

By Hand

Mr. Ted Chandler
Boston Redevelopment Authority
1 City Hall Square
Boston, Mass. 02201

Dear Ted:

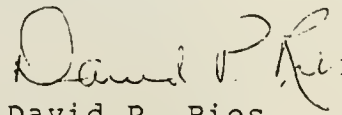
As you know I have been working as a member of the "Lawyers Committee" which is giving you comments on the Mid-Town Cultural District Zoning. I reviewed the Memorandum which was sent to you from the committee via Myrna Putziger and think it is an excellent piece of work. I am, however, concerned about one aspect of it. Since Myrna is away today, I will transmit this directly to you instead of through Myrna. She may have comments on this on her return.

In Section 9 of the Memo, there is a discussion of "grandfather" protection for PDA projects which are phased. I think the proposed language dealing with the applicability of future amendments is a key point in the Mid-Town Cultural District Zoning. It is only equitable for the city to provide grandfather protection for phased projects where the developer is required to provide his public benefits package up front. The city ought to be obligated to deliver its permits on a grandfather basis.

My concern with Section 9 in the "Lawyers Committee" Memo is that a phased project may have a development schedule which has the first building being built right away, the second building built in two years and the third building in four years. Section 5 could be read to require "continuous construction". I therefore propose to substitute the enclosed for the text in Section 9 of the Committee Memo.

Please call me if you have any questions.

Sincerely,



David P. Ries

DPR:mw

Enc.

D.P.Ries proposed language for page 29
Section 38-10 2

Applicability of Future Amendments. The issuance of a building permit for any portion of a Proposed Project described in the approved Development Plan, as amended from time to time, shall be deemed to be the issuance of a building permit for the entire Proposed Project for the purpose of applying Section 5 of Chapter 665 of the Acts of 1956 as amended. Without limiting the foregoing sentence, the proviso of Section 5 that construction work under the permit proceed continuously to completion shall be deemed satisfied so long as construction on the Proposed Project proceeds generally in accordance with a development schedule approved by the Authority in conjunction with the Development Plan.

XP-2690/p

MCCORMACK & PUTZIGER

ATTORNEYS AT LAW

265 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110
(617) 439-4100

OF COUNSEL

NORMAN I. HASSMAN
IRVING A. RACHSTEIN
GEOFFREY E. NORMAN
GARY D. BUCHMAN

TELECOPIER
(617) 439-6070

EDWARD J. MCCORMACK, JR., P.C.
MYRNA PUTZIGER, P.C.
JOEL Z. EIGERMAN, P.C.
EDWARD J. MCCORMACK, III
JAMES H. GREENE
WILLIAM J. SMITH
MARTHA J. MCMAHON
IAN M. VEITZER
JANE L. GREENHOOD
STEFANY L. MITLAK
CRAIG A. CIECHANOWSKI
MARGARET LO

COUNSEL

ALAN S. JOHNSON

HAND DELIVERED

December 30, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
City Hall Plaza, 9th Flr.
Boston, Massachusetts 02201

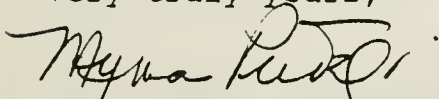
Re: Midtown Cultural District Zoning - Proposed Article 38
Memorandum from Ad Hoc Zoning Committee

Dear Steve:

I am pleased to submit on behalf of the members of an Ad Hoc Zoning Committee our collective technical comments upon the text of proposed Article 38 which was the subject of a public hearing before the Boston Redevelopment Authority on December 8, 1988. As indicated in the introduction to the enclosed memorandum, our focus in these comments is our respective ability to render zoning opinions on behalf of our clients who may undertake development within the Midtown Cultural District, and the concerns which we anticipate construction and permanent lenders will have with certain openendedness or imprecision which remains in the current draft.

We understand that all of the comments received through December 30th will be considered and reflected in a final draft to be acted upon by the Authority during January. We would appreciate a final opportunity to offer similar technical comment upon further revisions which may be produced by reason of the comments submitted during this comment period.

Very truly yours,


Myrna Putziger, P.C.

MP/ecd
Enclosure

cc: Ted Chandler, Esquire
Robert Farrell, Chairman -
Participating Lawyers (list attached)
(all w/enclosures)

EXHIBIT 1

PARTICIPATING LAWYERS

Gaston & Snow
One Federal Street
Boston, Massachusetts 02110
426-4600
Contact Lawyer: John A. Kessler, Jr., Esq.

McCormack & Putziger
265 Franklin Street
Boston, Massachusetts 02110
439-4100
Contact Lawyers: Edward J. McCormack, Jr., Esq...
Myrna Putziger, Attorney

Goulston & Storrs
400 Atlantic Avenue
Boston, Massachusetts 02110
482-1776
Contact Lawyer: Alan W. Rottenberg, Esq.

Hale & Dorr
60 State Street
Boston, Massachusetts 02109
742-9100
Contact Lawyer: Herbert W. Vaughan, Esq.

Ropes & Gray
225 Franklin Street
Boston, Massachusetts 02110
423-6100
Contact Lawyer: Stephen P. Lindsay, Esq.

Goodwin, Proctor & Hoar
Exchange Place
Boston, Massachusetts 02109
570-1000
Contact Lawyer: David P. Ries, Esq.

DiCara, Selig, Sawyer & Holt
3 Center Plaza
Boston, Massachusetts 02108
523-1800

Contact Lawyer: Lawrence S. DiCara

TO: Boston Redevelopment Authority

FROM: Ad Hoc Zoning Committee

DATE: December 30, 1988

RE: Technical Corrections - Proposed Article 38
Midtown Cultural District

This memorandum accompanies an annotated copy of proposed Article 38 of the Boston Zoning Code. Our goal in the preparation of this memorandum was to identify ambiguities and technical flaws in the current draft which we believe will make administration of the Article difficult, or which will make the rendering of opinions as to zoning compliance in the Midtown Cultural District difficult, the latter having an impact upon the ability to finance developments subject to the Article. While there may be occasional lapses from our limited purpose, it is not our intent to comment upon the substantive requirements of the Article.

In those cases where the annotation is self evident, no explanation is offered. Therefore, please review each page of the annotated copy of Article 38 and not only those to which reference is made in this memorandum.

In some cases we have commented upon the numbering of paragraphs and subparagraphs where the meaning would be clarified by renumbering. As a general comment, however, the cross references to numbered paragraphs within various sections, i.e 38-14(2), do not coincide with the actual appearance of the numbering in the text. In the given example, no parentheses surround "2" in the text of that section. It would be helpful to conform the numbering throughout the article.

1. Page 9, Section 38-2. The Midtown Cultural District Plan should be updated to be consistent with Article 38, as adopted.
2. Page 10, Section 38-4. The "grandfathered" projects are not exempt from Article 38, but rather they are not subject to the provisions of Article 38 and are governed by the code, unaffected by the provisions of Article 38. Query, are they subject to the Downtown IPOD (Article 27D)? If not, the language should specify that they are governed by the code with the exception of Articles 38 and 27D.
3. Page 11, Section 38-5. Protection Areas should be identified as overlay districts.
4. Page 12, Section 38-5. The language in this section is not clear as to what portion of a Proposed Project is limited by its

provisions. If it is the case that only those portions of a Proposed Project falling within a Protection Area are so limited, the language should read "Any portion of a Proposed Project within ..."

The FAR limitation applicable to the Boston Common and Public Garden Protection Area is written to restrict the FAR of the entire development if any portion falls within the Protection Area. The language again should read "Any portion of a Proposed Project within ..." This would be administered by treating the two portions of a project falling within and without of the Protection Area as if they were two separate lots for zoning purposes.

5. Page 13, Section 38-6. Height is already fully defined and includes a measurement from grade.

6. Page 15, Section 38-7. The movement of the "in substantial accord" phrase is to make it a standard for the grant of relief. In its present location it is a jurisdictional limitation upon the ability to grant relief.

The word "level" has been deleted after "grade" in order to rely upon the defined term for Grade as used in the code.

The insertion of the words "or creation" and the deletion of "of buildings on the lot" is to make it clear that the building height exception is available for new construction.

7. Page 17, Section 38-8. Article 38 as drafted uses several different phrases to measure a project against the Midtown Cultural District Plan. "Conforms" and "is consistent with" appear in different places. To avoid the interpretation that two different standards are to be applied, we have suggested that a uniform phrase - "is consistent with" - be used as the measurement standard.

In prior drafts no Board of Appeal action was required for the up to 1 increase in FAR. The Committee suggests that the administrative burden of Board of Appeal action for this FAR increase is not necessary, and that the exclusion from calculation mechanism, carefully drawn, was preferable. If the decision were made to return to exclusion rather than exception, then the exclusion should also be applicable in Planned Development Areas.

In 38-8 1(b) we have changed the reference related to Neighborhood Business Opportunities to conform to the revisions in Section 38-17(3).

We have proposed the deletion of the word "nonprofit" as a limitation on eligible Cultural Uses. Nonprofit is not a use category, but rather the identity of the user. Beyond that, the application of the standard requires that the Board of Appeal and the Project Proponent become involved in ascertaining the

corporate status, and perhaps federal tax status, of a proposed user. We don't believe that the validity of zoning relief should depend upon such characteristics of the user from time to time of the space so long as the use made of it is a Cultural Use.

8. Page 18, Section 38-8 2. The suggested changes are intended (i) to prevent the interpretation that vacancy of space for which there is a use limitation has any effect upon the validity of the exception, and (ii) to confirm that the Best Efforts requirements of Section 38-17(3), as opposed to the use of space, are all that is required to prevent the invalidity of an exception.

9. Page 29, Section 38-10 2 (Insert). In Boston, only a building permit is a protection against subsequent changes in the code. Many of the PDA projects within this district may be undertaken in phases. Those projects deserve some commitment that the rules will not change in the middle of the undertaking of a phased project. Therefore, we have proposed a "grandfathering" provision for PDA projects approved under Article 38 as follows:

7. Applicability of Future Amendments. The issuance of a building permit for any portion of a Proposed Project described in the approved Development Plan, as amended from time to time, shall be deemed to be the issuance of a building permit for the entire Proposed Project for the purpose of applying Section 5 of Chapter 665 of the Acts of 1956 as amended.

10. Pages 20-21, Section 38-11. The drafting of the floor area limitation dedicated to office use in PDA III is unclear. The draft suggests either that the limitation is applicable to the aggregate gross floor area built within PDA III, by several different developers at different times, or that the limitation is to be applied on a per project basis. We have assumed that the latter is the desired result in the suggested changes.

11. Page 22, Table A. This table is not consistent with the substantive provisions of Section 38-11. The revisions to the table are to conform the table to Section 38-11.

12. Page 22, Section 38-12. Although we understand that you have used the phrase "nothing in such Development Plan will be injurious" because it has withstood judicial attack, we think that the phrase does more harm than good. You have now used it in conjunction with the phrase "on balance", thereby expressly supplying the balancing test which the court had to imply. We believe it would be safer to write the test as you would have it interpreted, and have therefore suggested: "on balance, such Development Plan will not be injurious"

13. Page 23, Section 38-14. The suggested change to "including without limitation the following" is intended to preserve the BRA's flexibility. It is also suggested that drafting consistency

would be improved by moving the definition of "Historic Building" to Appendix E.

14. Page 24, Section 38-14 1. The renumbering of this subsection is intended to clarify the disjunctive and conjunctive requirements. The addition to renumbered clause (b) is to clarify the kinds of evidence which will satisfy the requirements, including the transfer to the City contemplated by Section 38-14 4. below.

15. Page 25, Section 38-14 2. This single provision is the most troubling from the point of view of zoning certainty, both from the perspective of an opinion writer and from that of a construction lender for a Proposed Project which will avail itself of its provisions. The problems are created by the "what ifs", which include the possibility of default by third parties, and the failure of the draft to address the zoning consequences of various outcomes short of completing the proposed rehabilitation on time.

As drafted, the provision creates uncertainty over ultimate project control which we believe would be unacceptable to a lender. A construction lender must operate on the presumption that it might have to step into the developer's shoes and complete the project. To this end, the lender can only proceed upon articulated plans and definitive cost estimates. This is not ordinarily a problem with respect to the new development, which would not proceed without passing through the approval process during which everything necessary would be definitively quantified. But the lender here would also be faced with an indeterminate obligation to accomplish work (as, for example, the rehabilitation of a theater on another site) on a property that neither the primary developer nor the lender (if it succeeded to the developer's position) would control. In the event of a failure to complete the off-site rehabilitation in conformity with the plan and the provisions of the code, we believe it to be imperative that the obligation be quantified and that some other agent, either the BRA or its designee, be designated to complete the rehabilitation with funds supplied by the developer (or, in the worst case, the lender). Since the developer might have no control over the ability to complete the rehabilitation, we believe that any other arrangement would be unacceptable to the construction lender.

Similarly, we believe that to make the undertaking to complete rehabilitation a covenant running with the land (presumably both the parcel on which the new development sits and the site of the theater or historic building to be rehabilitated) would create an unacceptable and unnecessary cloud on the title to each parcel. It would be unacceptable because neither land-owner (neither the developer nor the owner of the property to be rehabilitated) would have control over the performance of the other, and there is no mechanism in the ordinance as drafted for the removal of the cloud on title in the event that the accomplishment of the rehabilitation were frustrated through no fault of the particular land-owner. For example, if the developer

of a new office building were to undertake to rehabilitate an off-site theater, and were willing to fund the undertaking, but the work were frustrated by a dispute over the ownership of the theater site, the office building developer would have no sure means of removing the cloud on the title to its own property nor of complying with the requirements of the zoning ordinance. We believe that it would be unnecessary as well, since the objective of insuring the rehabilitation of the theater or historic building (as a condition to the grant of additional height or FAR to a new development) can be achieved by a contractual arrangement among the developer, the owner of the to-be-rehabilitated site, and the BRA, enforceable by each but amendable by the agreement of all, under which the developer would be committed to the appropriate funding but would not be a guarantor of completion where supervening events might make completion infeasible within 24 months of 51% occupancy of the new development. We have therefore recast the provision in the following form.

2. Development Plan Approval for Substantial Rehabilitation of Existing Theaters, Historic Buildings, and Landmarks. The Boston Redevelopment Authority may approve a Development Plan proposing substantial rehabilitation of an existing theater, Historic Building, or Landmark if:
(a) the Applicant agrees, in the Development Plan and by separate agreement entered into with the BRA, substantially to rehabilitate an existing theater, Historic Building, or Landmark, which said Applicant owns or will own at the time set for the commencement of construction of the project, in accordance with the provisions of paragraphs (i) and (ii) of this section; or
(b) the Applicant and the fee simple owner (or agent thereof) (the "Owner") of an existing theater, Historic Building, or Landmark enter into an agreement with each other and with the BRA, which agreement shall provide that a substantial rehabilitation of such a building shall be performed in accordance with the provisions of paragraphs (i) and (ii) of this section, and the Development Plan reflects the provisions of such agreement and the Applicant's undertaking to be bound by them.

Any agreement entered into under clauses (a) or (b) above shall conform to the following requirements:

A. The covenants and conditions shall be enforceable by the Applicant, the Owner (if any), and the BRA or its designee.

B. The substantial rehabilitation called for in the Development Plan shall be completed to the point of receipt of a certificate of occupancy for the same on or before the date that is twenty-four months following the issuance of certificates of occupancy enabling the use

and occupancy of 51% of the gross floor area of the Proposed Project.

C. The agreement shall contain a statement of the projected cost for the completion of the contemplated rehabilitation. In the event that despite the good faith efforts of the Applicant the rehabilitation is not completed within the time period set forth in the preceding paragraph, the Applicant shall pay over to the BRA or its designee the unexpended portion of such total cost, and the BRA or its designee shall complete the rehabilitation according to the Development Plan and such agreement. The agreement shall further provide for the consent by the Owner (if any) to such completion.

D. The Applicant shall be deemed to have discharged all of its obligations under the agreement and under the Development Plan with respect to such rehabilitation if and when either (a) the rehabilitation is completed in conformity with the agreement and the Development Plan or (b) the sum set forth in the preceding paragraph is paid over to the BRA or its designee... In the event that the Applicant has paid over the sum set forth in the preceding paragraph, no subsequent delay or failure in the completion of the rehabilitation shall operate to effect in any way the compliance of the Proposed Project with this code or the Development Plan.

E. A notice of the agreement may be recorded in the appropriate public records of Suffolk County, Massachusetts, but the Applicant or Owner (if any) shall be entitled to record a notice with the same records which shall conclusively establish that the agreement has been complied with, upon either of the completion of the rehabilitation or the payment of the sum set forth in paragraph D above.

In the case of existing theaters, Development Plan approval shall also be subject to the provisions of Section 38-14(1). In the case of Landmarks, the substantial rehabilitation must also be approved by the Boston Landmarks Commission in accordance with Chapter 772 of the Acts of 1975, as amended from time to time.

[Pick up with (i) and (ii)]

In the foregoing proposed revision all of the governmental actions and rights are vested in the BRA, which in our judgment has both the legal ability and the experience to negotiate, review and implement agreements of the nature proposed. These agreements most closely resemble land disposition agreements with default rights for the BRA. Because of our view that these rights should vest in the BRA, we have deleted the roles assigned to the Landmarks Commission and to Corporation Counsel.

16. Pages 27-28, Section 38-14 3. We start here by pointing out what may be intended - that an office development, and probably a mixed use (i.e. office below, housing above) development, may not use creation of affordable housing as a public benefit to support approval of its PDA plan. The changes that we have proposed assume that intent, and are designed to clarify the application of this subsection to the creation of off-site housing. Since the off-site alternative is a cash contribution to the Neighborhood Housing Trust, the question of when the contribution is required must be answered. We have assumed at the issuance of a building permit for the PDA project, or in the case of a phased project, at the issuance of each separate building permit.

17. Page 28, Section 38-14 4. "Conveyed" has been changed to "leased or otherwise transferred" because many of the theaters or cultural facilities will be parts of larger buildings, and conveyance would be possible only if the building were made a condominium with the theater as a separate unit.

18. Page 29, Section 38-14 6. The proposed changes are to correct two problems. Many of us felt that change of use of a public benefit would be construed too narrowly, as for example, a change from Shakespearian repertory to dance group. Therefore we have suggested "use category" as the restriction. Use alone doesn't cover all of the benefits which may have been approved. Physical rehab of an Historic Building or Landmark may have been the public benefit. In such cases the alteration of the exterior of those structures should require a PDA plan amendment.

19. Page 30, Section 38-16. There needs to be a way to determine conclusively that the standards set forth in Section 38-16 have been met. The standards are in many cases subjective or judgmental, and therefore not susceptible to an architect's certification or lawyer's opinion. The problem would be resolved by adding the sentence suggested.

20. Page 36, Section 38-17 3. We appreciated the clarity added by the final paragraph of 38-17 3. However, the preceding paragraph, dealing with measures beyond traditional leasing methods, might imply that economic subsidy is necessary. The added sentence is meant to refer to the following paragraph as a limitation upon "other affirmative measures".

21. Page 42, Section 38-17 6. We have requested the deletion of the final sentence. Zoning compliance based upon "the character and extent of operations" cannot be determined. This is neither an abandonment standard, about which there is both statutory and case history, nor a specific condition attached to a particular conditional use approval. If the Board of Appeal wishes to condition a conditional use permit, it should do so on a case by case basis, specifying the exact conditions to be met.

22. Page 44, Section 38-17 6.(h). The change of use of any residence is a conditional use - but no exceptions are discussed in Section 38-20(1). This should be deleted.

23. Pages 47-54, Section 38-18. The subject matter of this section is not uniformly appropriate to the zoning code. Many of its standards are general or vague, such as "sufficiently coextensive ... to spatially reinforce such Street Wall line" or "portions of a Proposed Project ... should be tapered and treated in a manner to create a visually distinctive roof". Again, these are not susceptible to an architect's certification or lawyer's opinion, nor could the Building Inspector determine compliance. We believe that all of this section should be removed from the code. Failing that, its provisions should become guidelines and treated in the same manner suggested for the standards described in Section 38-16. Failing that, the language suggested on Page 47 to substitute a BRA finding for the need for compliance is the minimum change required. Absent this modification, we are concerned that the draft invites challenge of the grant of exceptions from these requirements by the Board of Appeal.

Page 53, Section 38-18 5.(a). No guidance is provided as to how a project would determine which setback requirements were not applicable if the 9,000 square foot problem were presented. For example, if there are setback requirements on all sides, should one be ignored, or should all be proportionately reduced. This is again a reason to adopt one of the treatments discussed in the preceding paragraph.

Page 53, Section 38-18 5.(c). The floor plate limitation at 22,500 is a prime example of the flaw present in this entire section. The language suggested for this section would be unnecessary if any one of our suggested overall approaches to Section 38-18 is adopted.

24. Pages 58-59, Section 38-20 2. This section authorizes in replacement for a theater either a "Cultural Facility", which is not a defined term, or space for a "Cultural Use", which is a defined term that includes many uses other than those conducted in a theater. Yet a condition in both cases is that the resulting "Cultural Facility" must have facilities for theater operation. The suggested revisions attempt to separate the two thoughts and clarify the defined terms.

25. Appendices C and D. Please note that the graphics have not been corrected to reflect the deletion of 125 Summer Street and the Bedford Street Garage.

FINE & AMBROGNE
COUNSELORS AT LAW

Exchange Place, Boston 02109

PETER VAN
RALPH I FINE
ROBERT F SYLVIA
ARNOLD M ZAFF
GENE A BLUMENREICH
FREDERICK J PITTARO
CHRISTOPHER M MILTON
STEPHEN R DELINSKY
ROBERT L CAPOALE
CATHLEEN DOUGLAS STONE
NANCY L CONLIN
RODERICK MACLEISH JR
STUART A OFFNER
JULIA LIVINGSTON BELL
STEPHEN T LANGER
SUSAN M ALEXANDER

DANIEL C COHN
MURRAY L SACKMAN
MARCO SCHERR
ETHAN E JACKS
ANTHONY M MOCCIA
MICHAEL B ROITMAN
MICHAEL L LIEBERMAN
TREAZURE R JOHNSON
SUSAN B TUCHMAN
JUDITH B MILLER
MARY LEE MOORE
LEJB FOGELMAN
DAVID F SLOTTJE
LAWRENCE A KLETTER
AMANDA DARWIN
JENNIFER W CATLIN

HENRY M ROSEN
EVAN SLAVITT
ERIC F EISENBERG
ANNE E COLLETON
JULIA A KURTZ
JOHN W BISHOP JR
KENNETH BRESLER
WALTER K MCDONOUGH
MERYL J EPSTEIN
NATHALIE D MARTIN
MARTHA A BASSETT
PETER R OEFEO
ERIK FRICK
MICHAEL C FEE
JOHN R DUDEK

(617) 367-0100

TELECOPIER 617 227 0277

TELEX 288866

CABLE ADDRESS WHITEACRE BOSTON

COUNSEL

PHIL DAVID FINE

OF COUNSEL

ANNA M. DIGENIO ALAN L. FELD BRENDA G. LEVY

*ADMITTED IN NEW YORK ONLY

January 5, 1989

Mr. Robert L. Farrell
Chairman
Boston Redevelopment Authority Board
City Hall
Boston, MA

Dear Mr. Farrell:

On behalf of Cohen Properties and Olympia & York (the "Partners"), co-owners of the property at 110-120 Tremont Street, I would like to submit comments on the proposed Midtown Cultural District Plan.

As long-time developers in the City of Boston, the Partners would like to compliment the staff of the Boston Redevelopment Authority for its extraordinary effort in producing what will surely be an historic plan for the heart of downtown Boston. The goals set out by the plan, of reviving the downtown area while providing day care, housing and cultural facilities, is innovative. The accomplishment of this plan will make Boston an even better place in which to live and work.

With regard to our individual project, we would like to see a change in its zoning. Under the proposed Plan, our project is currently zoned with a height limit of 125'. We would like the portion of our site that is set back from Tremont Street to be included in the "as-of-right" zoning district, having 125'-155' height limitations and an 8 to 10 FAR limit. While the project that we envisioned earlier on was a much taller structure, we have listened carefully to the concerns of the community and wish to bring our project into line with the goals of the Midtown Cultural District. To do so, we are willing to construct an

FINE & AMBROGNE

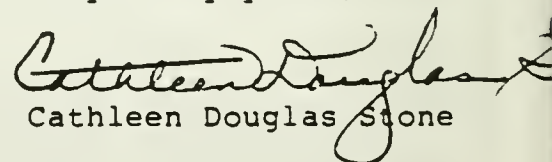
Mr. Robert L. Farrell
January 5, 1989
Page Two

addition to 110-120 Tremont which is set back from Tremont Street and within the as-of-right zoning process (125'-155'). As we would be seeking a height above the as-of-right zoning of 125', the BRA would have complete control over the project. It would require the Partnership to "earn" any increase in height above 125' by satisfying the BRA on a variety of public policy concerns, including preservation-related issues.

Independently of the BRA's design review, we presently are involved in the proceedings relating to the landmark designations of 110 and 120 Tremont, which involve significant public dialogue on certain of these issues.

We have already given a presentation of our new plan to the staff of the Boston Redevelopment Authority and some members of the public, and we are scheduling a presentation before the Design Review Subcommittee of the Midtown Cultural District Task Force. We are happy to give the presentation to you or any other group that would find it helpful. Please contact me if you have any questions regarding our proposal.

Very truly yours,


Cathleen Douglas Stone

CDS/csc

AMERIMAR REALTY COMPANY

August 9, 1988

Mr. Steven Coyle
Director
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Dear Mr. Coyle:

We have reviewed the Midtown Cultural District Plan released by your office on July 14. As the owners of 600 Washington Street, we have a very direct and important interest in the redevelopment of Midtown Boston. We are pleased to see the city's enthusiasm in making Midtown a safe, exciting new area, and hope that redevelopment efforts are properly planned.

We understand that the new plan is just a draft and subject to revision, and therefore, offer the following comments:

We are concerned with the maximum building height and FAR proposed for 600 Washington Street. A taller building of up to 400 feet or more is justified at 600 Washington for several reasons.

- (a) 600 Washington Street lies in the middle of the Bedford/Essex Corridor that is recommended by your office for enhanced building heights and FARs. However, within this Corridor, it is the only parcel of land greater than one acre that the BRA is not proposing enhanced heights and FARs, even though it is located at the most prominent intersection within the Corridor.
- (b) Washington and Essex Streets are the widest and most heavily traveled streets in the district. A building of up to 400 feet at 600 Washington would complement such an important and visible location within the district.

Mr. Steven Coyle
August 9, 1988
Page 2

- (c) 600 Washington Street offers several advantages over other locations recommended for enhanced heights, including, but not limited to:
 - (i) A taller building at 600 Washington would not cast shadows on the Boston Common as would the sites bounded by Boylston, Washington, Tremont, and the Opera House.
 - (ii) Our site is located on two major roadways, thus, a taller building would not create the traffic problems that may be associated with some of the other sites located on narrower streets, and
 - (iii) The proposed MBTA stop to open in our building, will allow superior access to mass transportation. We also have excellent access to the Central Artery the Massachusetts Turnpike, and South Station.

The Plan designates 600 Washington Street as a Category 3 building, with historical significance. It is proposed that Category 3 buildings be restricted to height limits of 125'-155'. We do not feel that 600 Washington Street has any real historical significance, nor does its age justify a reduced height for this site. The interior of the office building has absolutely no historical significance, as it has been entirely gutted and modernized in the past 4 years. The front of the building and the storefronts have also been significantly altered over the years. In addition, the building, originally built as a retail department store, is now being utilized as class B office space. Remnants of its original function and design have been obscured for many years.

Along with Skidmore, Owings, & Merrill of New York, we presented to the BRA several redevelopment options for 600 Washington Street. We feel that these options would complement future plans for the District and warrant further consideration.

Mr. Steven Coyle
August 9, 1988
Page 3

We are also concerned that the theater at 600 Washington Street (Essex Theater) is included in Section 38-11 of the Proposal, which restricts the demolition and change of use of designated theaters in the district. The Essex Theater, as you point out on page 2-2 of the Plan's text, has been substantially altered and is no longer historically significant. The alterations include vertical subdivision of the space and major alterations of the walls. In addition, the theater is much too large to be operated economically. However, we believe that the vacant theater space is a detriment to the neighborhood.

In that regard, we have submitted impact studies to the BRA, in anticipation of constructing a parking garage within the theater cavity. We believe the garage will help tremendously in improving the appearance and safety of Essex Street and the surrounding area. A parking garage would alleviate some of the parking shortages presently experienced in the city. In addition, we have proposed shuttle buses that would service the local theaters. We also hope that the garage will make our retail space more attractive to shoppers, and likewise, retail tenants.

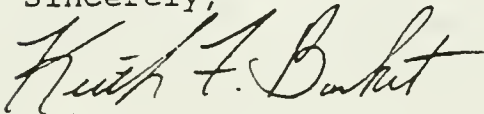
600 Washington Associates has already significantly contributed to the redevelopment of the Midtown Cultural District. Since purchasing 600 Washington Street in 1984, we have worked hard in improving the viability and appearance of the block. We have completely renovated and cleaned the building. Thousands of jobs have been created in the District and new retail operations have opened. We have also worked hard to improve the safety and appearance of the surrounding neighborhood. We have invested heavily in upgrading the city-owned parking lot at Hayward and Washington Streets. In addition, we are currently operating the lot, in conjunction with The Parkway Corporation at a break-even level, so that we can guarantee the safety and appearance of the lot. Recently, we appropriated our own money towards painting the vacant MBTA entrances on the Hayward parking lot.

As you can see, 600 Washington Associates is committed to improving the surroundings of our building and the

Mr. Steven Coyle
August 9, 1988
Page 4

Midtown Cultural District. It is in everyone's interest to build a healthy, safe community in the area and we hope that you take our recommendations into consideration when writing your next draft of the Midtown Cultural District Plan.

Sincerely,

A handwritten signature in cursive script, reading "Keith F. Barket". The signature is written in dark ink and is positioned above the printed name.

Keith F. Barket

KFB:djc

cc: Mr. William D. Whitney
Ms. Nancyellen Hayes
Mr. Charles J. Speleotis
Mr. David G. Marshall
Mr. Kenneth P. Balin
Ms. Judith A. Klein

DiCARA, SELIG, SAWYER & HOLT

THREE CENTER PLAZA
BOSTON, MASSACHUSETTS 02108

1500 TURKS HEAD PLACE
PROVIDENCE, RHODE ISLAND 02903
TELEPHONE (401) 274-3300
TELECOPIER (401) 273-7240

TELEPHONE (617) 523-1800
TELECOPIER (617) 523-5702

2000 K STREET, SUITE 500
WASHINGTON, D.C. 20006
(202) 466 3335

October 4, 1988

Robert Farrell, Esquire
Chairman
Boston Redevelopment Authority
City Hall - 9th Floor
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Plan

Dear Chairman Farrell:

This firm represents the Washington-Pilgrim Realty Trust, which has owned the Pilgrim Theatre Building, located at 658 Washington Street on the edge of the proposed Midtown Cultural District, since about 1964. Our clients have asked us to advise them on the possible effect of the Midtown Cultural District Plan, and particularly of proposed Article 38 of the Boston Zoning Code, on their property.

Our review of proposed Article 38 and the existing Downtown Interim Planning Overlay District (Article 27D) leaves us confused as to the City's zoning and planning goals applicable to this theatre property. As presently proposed, the Midtown Cultural District boundary runs down Washington Street, thus separating the Pilgrim Theatre and other buildings along the east side of Washington Street between Essex Street and Kneeland Street from the nearly identical buildings and uses on the west side of Washington Street. Article 27D, however, included the properties along the east side of Washington Street within the Midtown Cultural District special study area. Are we left to conclude that the re-drawing of this boundary leaves these properties in the Chinatown special study area, in which residential and industrial uses are encouraged? There appears to be some confusion on this point within the text of proposed Article 38 itself, which lists the Pilgrim Theatre in Table B of Section 38-7 as a building qualifying for rehabilitation.

We believe it is inappropriate to draw such a "Maginot Line" down the middle of Washington Street, thus separating the Midtown Cultural District, in which cultural and entertainment uses are encouraged, from Chinatown, in which housing and

DICARA, SELIG, SAWYER & HOLT

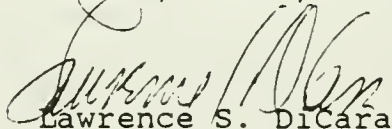
Robert Farrell, Esquire
October 4, 1988
Page 2

industrial uses are encouraged. Clearly, our clients' property (and others like it along the east side of Washington Street) form an integral part of the proposed Midtown Cultural District, and we are unable to understand why this boundary has been re-drawn.

Our client is anxious to participate in the revitalization of the Midtown area, and applauds the efforts of the BRA to stimulate such renewal. The confusion and inconsistency promoted by the proposed Midtown Cultural District Plan make it difficult, however, for our client to wholeheartedly support it.

Very truly yours,

DICARA, SELIG, SAWYER & HOLT



Lawrence S. DiCara

LSD/pl
cc: Mr. Stephen Coyle ✓
Ms. Linda Bourque

RobF

DiCARA, SELIG, SAWYER & HOLT

THREE CENTER PI⁷
BOSTON, MASSACHUSETTS 02108

1500 TURKS HEAD PLACE
PROVIDENCE, RHODE ISLAND 02903
TELEPHONE (401) 274-3300
TELECOPIER (401) 273-7240

TELEPHONE (617) 523-1800
TELECOPIER (617) 523-5702

2000 K STREET, SUITE 500
WASHINGTON, D C 20006
(202) 466 3335

October 4, 1988

Robert Farrell, Esquire
Chairman
Boston Redevelopment Authority
City Hall - 9th Floor
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Plan

Dear Chairman Farrell:

This firm represents the LaGrange Street Realty Trust, which has owned property located at 41-47 Stuart Street and 32-58 LaGrange Street in the proposed Midtown Cultural District for approximately 20 years. Our clients have asked us to review the Midtown Cultural District Plan, including particularly the proposed Article 38 to the Boston Zoning Code, and to comment to you concerning the plan's effect on their property.

Our clients applaud the goals of this plan: to channel private investment to this largely underutilized area of downtown Boston and to revitalize the so-called Midtown area as a center for performing arts and other cultural facilities. There are several troublesome aspects of the proposed plan, however, which prevent our clients from giving the plan their wholehearted support.

First, we believe that even the enhanced FAR limit of 10 and height limit of 155 feet applicable to much of the district, including the so-called "hinge block" in which our clients property is located, will not allow for sufficient density to attract significant private development to what is still a fringe area of the downtown. While we favor the plan's emphasis on ground floor retail uses, housing, cultural facilities, and historic preservation, we believe that the plan's incentives for these activities and facilities are inadequate. We are also puzzled by the failure of the plan to designate the hinge block, which has been much studied as the possible site of a large mixed-use development which will knit the block together, as an area in which PDAs will be allowed. Our clients believe that the "multi-arts center" proposed for the middle of this block in the Benjamin Thompson study will be economically infeasible and will lack the "critical mass" to trigger the redevelopment of underutilized buildings on the perimeter of the block.

DiCARA, SELIG, SAWYER & HOLT

Robert Farrell, Esquire
October 4, 1988
Page 2

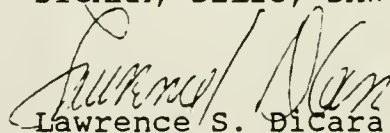
In the past, through such actions as installing a median strip on Stuart Street between Tremont and Washington Streets, thus barring access to our clients' property by vehicles travelling eastbound on Stuart Street, the City has discouraged off-street parking usage. This only diminishes the patronage of the area's existing cultural and theatre facilities. The plan continues this misguided approach by ignoring the importance of off-street parking to the revitalization of this district. In particular, we note that the proposed zoning plan does not require any off-street parking for non-residential uses. Surely the revitalization of the area which the plan seeks to encourage will place a strain on existing parking facilities and will generate the need for additional facilities. The elimination of existing parking spaces should only be permitted when replacement parking (or, ideally, more than replacement parking) is created nearby.

Finally, we call your attention to the provisions of the 1971 Park Plaza Urban Renewal Plan applicable to the hinge block. While many of the planning goals and urban design concepts of the Urban Renewal Plan are outdated, it allows a 650-foot maximum height, and an FAR of 15. We believe these parameters are closer to what would be necessary to attract private development which not only revitalizes the district, but also meets the additional goals of providing housing, day care and cultural facilities and preserving historic buildings.

As a property owner in the proposed district, our client is anxious to participate in the revitalization of the area, and applauds the BRA's efforts in this regard. To impose a comprehensive zoning initiative upon this district without the cooperation of interested property owners, however, will only reduce its ultimate chances of success.

Very truly yours,

DICARA, SELIG, SAWYER & HOLT


Lawrence S. DiCara

LSD/pl
cc: Mr. Stephen Coyle
Ms. Linda Bourque

Farrell

DiCARA, SELIG, SAWYER & HOLT

THREE CENTER PLAZA
BOSTON, MASSACHUSETTS 02108

1400 HOSPITAL TRUST TOWER
PROVIDENCE, RHODE ISLAND 02903
TELEPHONE (401) 274-3300
TELECOPIER (401) 273-7240

TELEPHONE (617) 523-1800
TELECOPIER (617) 523-5702

2000 K STREET, SUITE 500
WASHINGTON, D C 20006
(202) 466-3335

December 8, 1988

BY HAND

Robert L. Farrell, Esquire
Chairman
Boston Redevelopment Authority
City Hall - 9th Floor
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Plan

Dear Chairman Farrell:

This office represents several owners of property in the so-called "hinge block", bounded by Tremont, Boylston, Washington and Stuart Streets, in the heart of the proposed Midtown Cultural District. In this capacity, we have closely followed the progress of proposed Article 38 to the Boston Zoning Code.

As we have said in response to earlier drafts of Article 38, we support the overall objective of the Midtown Cultural District Zoning Plan to channel private investment to the Midtown area to create a center for cultural activities in downtown Boston. This plan must provide sufficient incentives for private development to occur, however, particularly in underutilized areas such as the hinge block. We believe the height limit of 125 to 155 feet, and the FAR limit of 8 to 10 provided in the prior draft of the plan for the hinge block were unrealistic, and we were encouraged by the appearance of "enhancement areas" in the next draft of the plan. These would have allowed maximum building heights of 235 feet, and maximum FARs of 12, based upon the incorporation of theatres, cultural facilities, affordable housing or other public benefits into proposed projects. We are disappointed to learn that these enhancement areas have been dropped from the version of Article 38 now before you. As we understand it, you are now being asked to approve a version of Article 38 which would designate the hinge block as a special study area for which a separate master plan would be prepared which establishes development parameters.

DiCARA, SELIG, SAWYER & HOLT

Robert L. Farrell, Esquire
Page 2
December 8, 1988

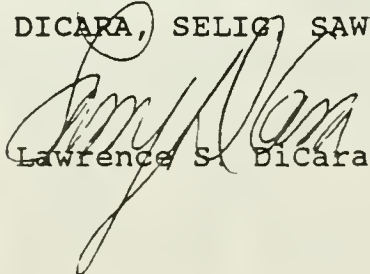
The hinge block is perhaps the most studied piece of real estate in Boston. At last count, the BRA, the City, and various private non-profit organizations had performed 21 studies for the hinge block. If yet another study is necessary, let it be quick, balanced, and most important, final.

Specifically, we ask that such a study be commenced immediately, rather than waiting for Article 38 to be adopted; that the final plan be in place no later than nine months from today; and that the concerns of property owners on the hinge block be ascertained by those involved in formulating the plan. Finally, and most importantly, the plan which is ultimately adopted should allow PDAs on the hinge block, and must allow height and FAR limits which reflect a realistic understanding of the needs of the marketplace.

I would be happy to discuss these comments with you or members of your staff in more detail.

Very truly yours,

DICARA, SELIG, SAWYER & HOLT


Lawrence S. DiCara

LSD/pl

cc: Mr. Stephen Coyle ✓
Mr. Joseph J. Walsh
Mr. James K. Flaherty
Mr. Clarence J. Jones
Mr. Michael F. Donlan
Ms. Kane Simonian

Farrell

October 7, 1988

Boston Redevelopment Authority
City Hall Plaza
Boston, MA 02122

Attention: Mr. Stephen Coyle

Re: Proposed Article 38 to Boston Zoning
Code and Midtown Cultural District Plan

Gentlemen:

The following comments to the proposed Article 38 to the Boston Zoning Code are submitted on behalf of The Druker Company in response to the request of the Boston Redevelopment Authority for comments. The Druker Company or its affiliates are the owners of properties (the "Property") in the Downtown Crossing area of the Midtown Cultural District bounded by Winter Street, Washington Street and Bromfield Street commonly known and numbered by the following street addresses: 1-11 Winter Street; 6½ Hamilton Place; 2-38 Bromfield Street; 371-387, 415-425 and 431-435 Washington Street.

We support the goals of the Midtown Cultural District Plan to create an active mixed-use center for Boston which includes new retail, office and cultural space and which takes into consideration preserving the district's historical character. However, we believe these goals would best be implemented by modification of the proposed zoning to facilitate flexibility in the design of a project for eventual reuse and upgrading of the Property to include a mid-block office tower, a portion of which may be devoted to cultural use, with retail and cultural uses as lower and ground level uses, stepped down to lower building heights along the street perimeter. Moreover, we would envision through-block connections at street level, as well as internalized connections to the MBTA. Such a project would enhance the vitality of, and retain the light, air and character

Boston Redevelopment Authority
Attn: Mr. Stephen Coyle
October 7, 1988
Page 2

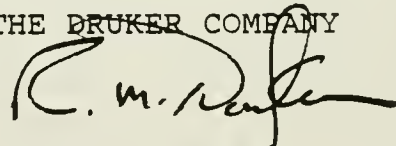
of, the Downtown Crossing Area, and would be consistent with the goals of the Midtown Cultural District Plan. However, our preliminary analysis has shown that substantially greater height is required to economically support the upgrading of the property in a manner which makes sense for the owner and the City.

We urge that proposed zoning for the Midtown Cultural District be adopted which would be consistent with such a project and, accordingly, we strongly propose that the area bounded by Winter Street, Music Hall Place, Hamilton Place, Wesleyan Place, Bromfield Street and Washington Street (see attached plan) be included within a Planned Development Area ("PDA") with a Height Standard of 310 feet and a FAR Standard of 12. In addition, we are submitting separately a letter with certain technical comments that we will discuss with your staff. As the BRA is aware, inclusion of the Property as a PDA would not constitute pre-approval of any particular project at this time, but, rather, would give both the owner and the BRA the tools with which to work together to implement an economically feasible plan for eventual reuse and upgrading of the Property consistent with the goals of the Midtown Cultural District Plan.

The Druker Company is proud of our development at the Downtown Crossing and we look forward to continuing work with the Boston Redevelopment Authority in the redevelopment of the City. We believe these comments are consistent with the Plan and incorporation of them will allow us to support it enthusiastically.

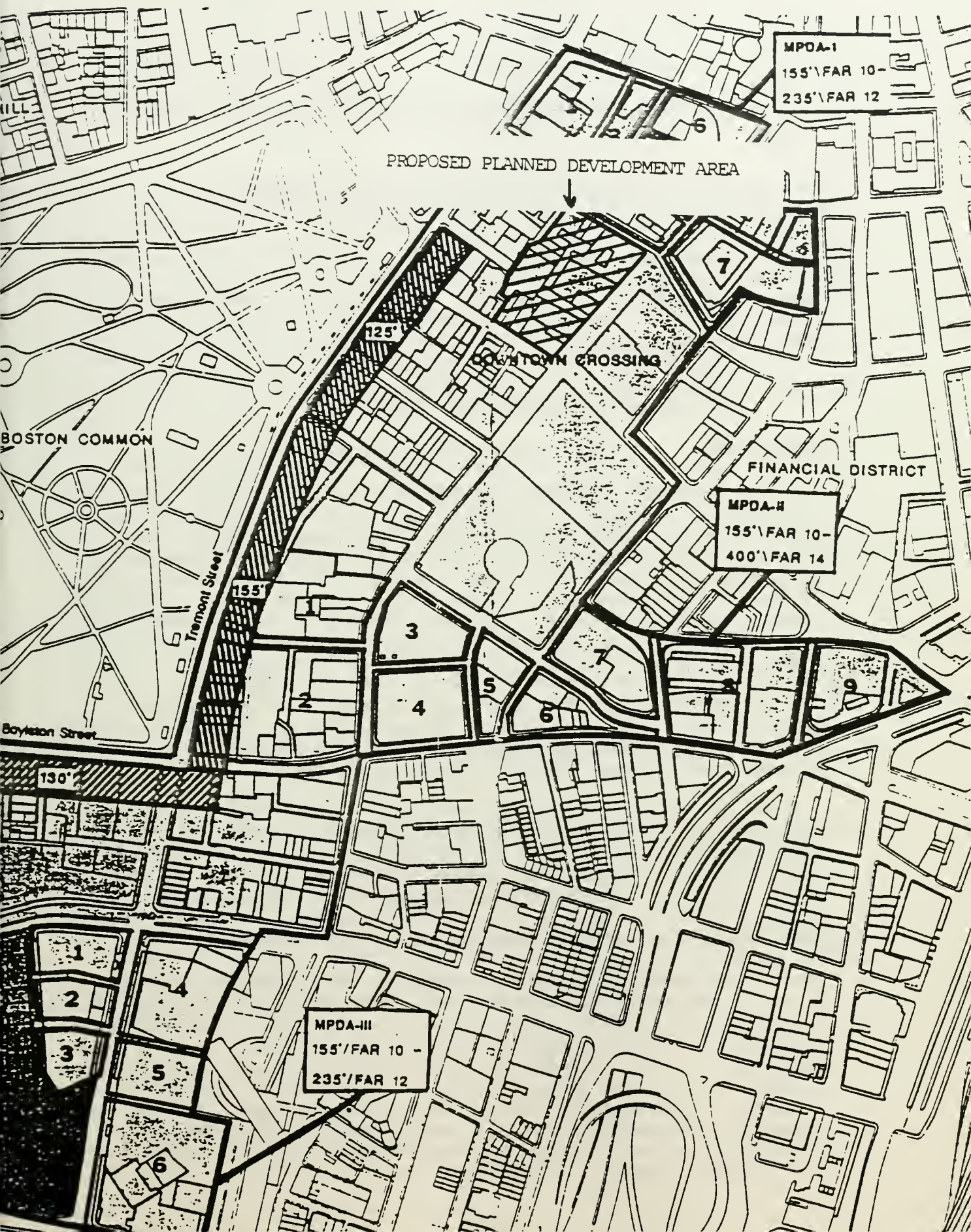
Sincerely,

THE DRUKER COMPANY

A handwritten signature in black ink, appearing to read "R. M. Druker", written over the typed name of the signatory.

Ronald M. Druker
President

RMD/man
cc: Mr. William Whitney
Mr. Chris Grace



MPDA-I
155' FAR 10 -
235' FAR 12

PROPOSED PLANNED DEVELOPMENT AREA

COWTOWN CROSSING

FINANCIAL DISTRICT

MPDA-II
155' FAR 10 -
400' FAR 14

MPDA-III
155' FAR 10 -
235' FAR 12

The Druker Company, Suite 1000, 50 Federal Street, Boston, Massachusetts 02110-2585. Telephone: (617) 357-5700

BY HAND

October 11, 1988

Boston Redevelopment Authority
One City Hall Square, Fl 9
Boston, MA 02201

Attn: Mr. Stephen Coyle

Re: Proposed Article 38 To Boston Zoning Code
And Midtown Cultural District Plan

Gentlemen:

The following supplementary comments to the proposed Article 38 to the Boston Zoning Code are submitted on behalf of The Druker Company in response to the request of the Boston Redevelopment Authority for comments. The Druker Company or its affiliates are the owners of properties (the "Property") in the Downtown Crossing area of the Midtown Cultural District bounded by Winter Street, Washington Street and Bromfield Street and commonly known and numbered by the following street addresses: 1-11 Winter Street; 6-1/2 Hamilton Place; 2-38 Bromfield Street; 371-387, 415-425 and 431-435 Washington Street.

A separate letter of comments dated October 7, 1988 has been submitted to the BRA by The Druker Company concerning designation of the Property within a PDA. In addition, we have the following comments which we would like to bring to the attention of the BRA:

1. Definition of Historic Buildings: As proposed, Historic Buildings are defined to include buildings which the Boston Landmarks Commission have designated as Category III and IV, as well as Category I and II, and we feel that such definition is over-inclusive and would severely affect the Property. Accordingly, we would propose that a Historic Building should be defined for the purposes of Article 38 as a building which is on the Massachusetts Register of Historic Places.

We note that the Ladder Blocks as a whole have not been listed by the Keeper of the National Register of Historic Places as eligible for inclusion on the National Register, are not included in the Massachusetts Register of Historic Places and are not a historic district established under G.L. c. 40C. Although we believe that it would be appropriate for the BRA in the course of design review to consider the architectural integrity of the Ladder Blocks, we believe that designation of the Ladder Blocks as a "historic district" is not properly a zoning function. Accordingly, we would oppose any designation through the zoning mechanism of the Ladder Blocks as a "historic district".

2. Street Wall Height and Setback Requirements on Hamilton Place:

Since Hamilton Place is designated as a Minor Street, a 65-90 foot street wall height and a 25 foot setback requirement above the street wall height would be applicable. We note that Hamilton Place is a cul-de-sac which terminates at the Property and that strict adherence to the street wall and setback requirements at the "endwall" of Hamilton Place would prevent development of a mid-block tower. We believe that the street wall height and setback requirements should not apply at the "endwall" of Hamilton Place so as to accommodate a mid-block tower, which would satisfy the Article 38 urban design and historic preservation objectives on more significant Washington, Winter and Bromfield Streets.

3. Display Window Area Regulations: We would propose that Section 38-10 (4) be modified to clarify that glazed lobby doors and views into lobby or atrium space be considered as Display Window Area.

4. Maximum Floor Plate: We would propose that Section 38-10 (5) be revised to permit Maximum Floor Plate determined in accordance with the following table:

Above street wall height but below 125'	40,000 s.f.
Above 125'	23,000 s.f.

Alternatively, we propose that the maximum floorplate size be a criterion to be considered in the course of design review.

5. Restrictions on Demolition and Change of Use of Theatre: We would propose that Article 38-11 be modified to clarify that any requirement regarding volume to be devoted to cultural use not be required to exceed 25% of the volume of the Orpheum Theatre, since the current volume of the Orpheum far exceeds present-day space requirements. Alternatively, we suggest that the new volume be appropriate to the intended use as determined in the plan review process rather than restricted by absolute percentage requirements.

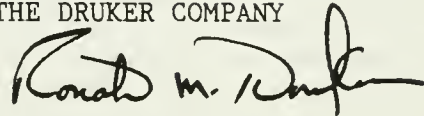
6. Designation of Bromfield Street: We note that Bromfield Street appears to be listed as both a Major Street and a Minor Street. We would propose, consistent with the designation of Winter Street as a Minor Street, that Bromfield Street be designed as a Minor Street.

Proposed Article 38
Page Three
October 11, 1988

We believe these supplementary comments are consistent with the Plan and we, of course, will be available to meet with the BRA to discuss these comments further.

Sincerely,

THE DRUKER COMPANY

A handwritten signature in black ink, appearing to read "Ronald M. Druker", written over the typed name.

Ronald M. Druker
President

RMD/cw

cc: Mr. Christopher Grace
Mr. William Whitney

art38bra

December 13, 1988

Robert L. Farrell, Chairman
Joseph J. Walsh, Vice Chairman
James K. Flaherty, Treasurer
Clarence J. Jones, Vice Treasurer
Michael F. Donlan, Vice Chairman, Subcommittee
Kane Simonian, Secretary
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Re: Proposed Midtown Cultural District Zoning Regulation

Dear Members of the Board:

This letter sets forth our preliminary comments on the latest revision of proposed Article 38 providing new zoning regulations for the Midtown Cultural District. In light of the fact that the revised regulation was first distributed last Thursday, we anticipate submitting further detailed comments on the proposed regulation later in the comment period that began on Thursday and ends December 30, 1988.

The Druker Company and its affiliates are owners of most of the portion of the downtown block bounded by Winter Street, Washington Street, and Bromfield Street and the end of Hamilton Place. This property, located opposite Filenes, is situated at downtown Boston's most important retail corner: the intersection of Winter and Summer Streets and Washington Street. The character of the downtown retail area and its ability to experience revitalization are critically dependant on the manner in which this property is rehabilitated, developed, and used.

The Druker Company has a long history of responsible and sensitive development in Boston. Its most recent project, The Heritage on the

Garden, is an example of what we believe to be development that is appropriate -- in scale, material, design, and use -- to Boston's tradition as a livable city.

We believe that our property at Downtown Crossing has a unique potential to contribute to the character and vitality of the downtown retail area. In our preliminary design studies, we have envisioned a mixed-use retail and office development which could:

- (a) create active retail atriums and interior spaces connecting Tremont and Washington Streets and Winter and Bromfield Streets;
- (b) create a pedestrian tie-in to the MBTA subway concourse below Winter Street;
- (c) preserve and rehabilitate the historic buildings and maintain the historic scale of the street walls facing onto Winter, Washington and Bromfield Streets, concentrating new development in the center of the block away from the street;
- (d) provide cultural opportunities in accordance with the spirit of the Midtown Cultural District Plan;
- (e) provide day care facilities as would be required by the current draft of the Midtown zoning regulation.

In short, there now exists the opportunity to create an anchor for retail and cultural activities in the center of the Downtown Crossing area while preserving the fabric and architectural integrity of the neighborhood.

The Druker Company has intentionally been proceeding in a slow and deliberate manner with its development plans for the Downtown Crossing property. Over the past year, we have been discussing with members of the BRA staff and the community ways in which the potential benefits of the site can be realized while minimizing any adverse impacts of development. We hope to continue these discussions during the comment period. The objective is a project -- like The Heritage on the Garden -- of which the City, the neighborhood, and the owner can be proud.

What is critical is that enough flexibility be incorporated into the proposed zoning regulation to permit these discussions to continue. As presently drafted, the proposed zoning regulation limits the property to as-of-right height and FAR ceilings that deny this flexibility.

The Druker Company is not requesting that its project be, in any sense, "pre-approved" by the new zoning. We anticipate that, under any scenario, a long and extensive public review process will be required before a project on the Downtown Crossing property can be realized. However, if sufficient flexibility is not now built into the zoning regulation to permit a viable project, then our opportunity to present a case to the City and community will have been prematurely foreclosed.

With sufficient flexibility in the zoning, the City and community can always reject a bad project; without such flexibility, the City and community will never have an opportunity to review a good project.

We suggest that the necessary flexibility can be provided by designating a "Special Study Area" encompassing the property, analogous to the Special Study Area proposed for the Hinge Block. Like the Hinge Block, the property has been extensively studied by the City's planning agencies over the past three decades. In light of the present interest in revitalizing the Downtown Crossing area, the opportunity to reap the benefit of past studies of the property and to bring them up to date should not be lost.

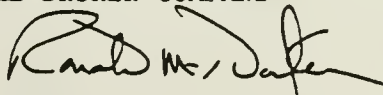
We propose that the Midtown zoning provide that property within the new "Special Study Area" will remain subject to the otherwise applicable as-of-right height and FAR limitations unless a comprehensive plan for the property, based on the most current studies and supported by the City and the community, demonstrates that the benefits outlined earlier in this letter can be achieved without sacrificing the urban qualities that the new zoning is intended to bring about.

The proposed Midtown Cultural District Zoning offers many benefits -- including cultural facilities, day care, jobs, neighborhood business opportunities, historic rehabilitation, and improved pedestrian ambience and activity -- important to a wide variety of constituencies. However, these benefits can only be achieved through cooperation between the City, the affected communities and interest groups, and responsible developers. For our part, we hope to be able to continue that cooperation in connection with the Downtown Crossing property.

We support the goals and objectives of the Midtown Cultural District Plan and look forward to continuing our participation in the development of new zoning to achieve those goals and objectives. In this spirit, we will submit our detailed comments on the latest revision of the proposed Midtown zoning regulation as soon as possible.

Sincerely,

THE DRUKER COMPANY



Ronald M. Druker
President

1114

cc: Mayor Raymond L. Flynn
✓ Stephen Coyle, Director
Boston Redevelopment Authority

December 22, 1988

BY HAND

Robert L. Farrell, Chairman
Joseph J. Walsh, Vice Chairman
James K. Flaherty, Treasurer
Clarence J. Jones, Vice Treasurer
Michael F. Donlan, Vice Chairman, Subcommittee
Kane Simonian, Secretary
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Re: Proposed Midtown Cultural District Zoning Regulation

Dear Members of the Board:

This letter provides additional comments of The Druker Company on the latest revision of the proposed Midtown Cultural District Zoning. This letter supplements our earlier comment letter addressed to your Board, dated December 13, 1988.

As noted in our earlier letter, The Druker Company and its affiliates are owners of most of the portion of the block located opposite Filene's and bounded by Winter Street, Washington Street, Bromfield Street and the end of Hamilton Place. Over the past year, The Druker Company has been preparing conceptual plans and meeting with BRA staff and members of the community in connection with a proposed retail and office development on the block. As presently conceived the proposal involves the preservation and extensive rehabilitation of buildings facing onto Winter, Washington, and Bromfield Streets, the creation of a multi-level retail atrium/galleria and public spaces forming mid-block connections linking Tremont and Washington Streets and Winter and Bromfield Streets with access to the MBTA subway concourse beneath Winter and Summer Streets, the provision of new cultural and entertainment opportunities, and the concentration of office development in the mid-block away from the surrounding streets.

Our December 13 letter sets forth the approach that we have taken to the development of our Downtown Crossing property and urges that enough flexibility be incorporated into the new zoning to permit design development and public review to go forward -- without committing the City or the community to accepting the project before final plans are completed and submitted formally for review.

This letter supplements our earlier letter by providing comments of a more technical nature on the current draft of the proposed new zoning. Our additional comments are as follows:

1. Proposed Downtown Crossing Special Study Area. In our December 13 letter, we suggested that the zoning flexibility needed to permit continued design development and public review with respect to the Downtown Crossing property could be provided by designating the property as a "Special Study Area." At the request of a number of individuals interested in our proposed project, we have prepared suggested language for a new section of the Midtown zoning to govern such a Special Study Area. A copy of this proposed language has been sent to the Director under cover of a letter from our counsel, Marilyn Sticklor, Esq., and a slightly revised draft of such proposed language is set forth in Appendix A, attached to this letter.

2. Limitation on Floorplate Area (Proposed Section 38-18(5)(c)). As revised, the new zoning continues to limit a project's allowable floorplate area, above the street wall height, to 22,500 square feet. We urge that this restriction on floorplate area be imposed only above the 125-foot level. Such a modification would, we believe, be consistent with sound urban design considerations pertaining to both skyline impacts and skyplane setbacks and would provide designers with needed flexibility in designing viable projects at lower overall building heights. Based on preliminary design analyses for our proposed project, it appears that our ability to build a viable, contributing project is dependent on this modification.

3. Display Window Area (Proposed Section 38-18(4)). Subsection 4(c) of proposed Section 38-18 requires that the space immediately behind the "Display Window Area" portion of the street wall be devoted to retail displays, exhibits, or announcements. This formulation precludes the creation of a retail atrium or galleria with a glass wall forming a portion of the street wall. Such an atrium/galleria would be as likely to promote pedestrian activity and interest as conventional shop windows. Indeed, an atrium/galleria can create more opportunities for pedestrians intensifying activity in an area.

We would urge, therefore, that subsection 4(c) be modified to permit the construction of such a retail/atrium galleria. This could be accomplished by eliminating the requirement that retail displays or exhibits be located immediately behind the Display Window Area, if the Display Window Area is the glass wall of a retail atrium. Alternatively, the exclusion of lobbies from the definition of "Display Window Area," in the first paragraph of Section 4, could be expanded so that retail atriums with glassed street frontages of up to 90 feet would also be excluded.

This change is important to our proposed project. As currently conceived, the project would incorporate a glassed atrium/galleria with perhaps 90 feet of frontage on Washington Street. Behind the glass would be public atrium/galleria space lined with retail shop display windows and entrances on several levels, all visible from the street. Interior public spaces would provide mid-block connections between the surrounding streets and an interior connection to the MBTA's subway concourse beneath Winter and Summer Streets. Opportunities for public events and cultural activities would be available in the atrium. The accessible atrium area would, in effect, be an interior extension of the street and would build upon the already high level of pedestrian activity on the Downtown Crossing pedestrian mall. The expansion of pedestrian activity through the creation of interior public spaces and mid-block connections is fully consistent with the Midtown Cultural District Plan and is particularly appropriate adjacent to the Downtown Crossing pedestrian mall.

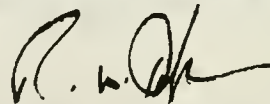
4. Setback Requirements (Proposed Section 38-18(5)). As revised, subsection 5(a) of proposed Section 38-18 provides that portions of a project above 155 feet should be "tapered and treated in a manner to create a visually distinctive roof or other termination of the [project's] facade." We are concerned that the use of the word "tapered" would imply the requirement of further setbacks beyond those set forth in Table D, and, therefore, suggest that the word be deleted.

Two clarifications of this Section also would be useful. First, we have assumed that the setbacks that are identified in Table D as being applicable at different heights are not intended to be added together. That is, the total setback applicable at the 235 foot level on a street listed in Table C would be 15 feet and not 40 feet. If this is not correct, a clarifying amendment would be useful. Second, we have assumed that no setbacks would be required from side lot lines below 125 feet, but that above 125 feet, the setbacks established in Table D would be applicable. Again, if this is incorrect, a clarifying amendment would be useful.

We believe these comments reflect our continued support for the Midtown Cultural District Plan. We would, of course, be happy to discuss any aspect of these comments or of our proposed project with you or members your staff.

Sincerely,

THE DRUKER COMPANY



Ronald M. Druker
President

ccs: Messrs. Flynn, Coyle, Whitney, Grace, Chandler and Meses. McCormack and Kendall

SECTION 38-___. Downtown Crossing Special Study Area. The area depicted on the map in Appendix A as the "Downtown Crossing Special Study Area" has been established as a Special Study Area. Proposed Projects in the Downtown Crossing Special Study Area are subject to the provisions of Section 38-7, As-of-Right Building Height and Floor Area Ratio, and other provisions of this Article 38, except as may otherwise be provided in any supplementary zoning that may be enacted pursuant to a comprehensive study and plan developed in accordance with this Section 38-___.

A comprehensive study and plan for the Downtown Crossing Special Study Area shall be developed and shall address, at a minimum, the following: (a) the applicability of past studies of the Downtown Crossing Special Study Area to current conditions; (b) the development potential of the Downtown Crossing Special Study Area and the likely benefits and burdens of such development, with particular attention to impacts, both positive and negative, on the revitalization of the Downtown Crossing retail area; (c) the extent to which supplementary zoning may be appropriate to achieve the following objectives with regard to the Downtown Crossing Special Study Area: (i) the preservation and encouragement of the rehabilitation and restoration of notable and historic buildings facing onto Bromfield, Washington, and Winter Streets, (ii) the expansion and revitalization of pedestrian-oriented retail activity in the Downtown Crossing area, (iii) the creation of mid-block connections and active interior retail areas, and (iv) the creation of cultural facilities and cultural opportunities consistent with the Midtown Cultural District Plan; and (d) if appropriate, a proposed text amendment to be presented to the Zoning Commission of the City of Boston modifying Article 38 consistent with the provisions of the comprehensive study and plan.

GASTON & SNOW

COUNSELLORS AT LAW

ONE FEDERAL STREET

BOSTON, MASSACHUSETTS 02110

617/426-4600

TELEX 94 0890 GASTON BSN
CABLE GASTOW
TELECOPY 617 426-6865
617 350-6146

14 WALL STREET
NEW YORK, NEW YORK 10005

668 FIFTH AVENUE
NEW YORK, NEW YORK 10103

4722 NORTH 24TH STREET
PHOENIX, ARIZONA 85016

101 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94111

October 17, 1988

BY HAND

Mr. Ted Chandler
Boston Redevelopment Authority
City Hall, 9th Floor
Boston, MA 02201

Re: Proposed Revisions to Midtown Cultural District Zoning

Dear Ted:

As promised, on behalf of Commonwealth Center Limited Partnership I enclose herewith for your review a mark-up of the Proposed Midtown Cultural District Zoning which I have annotated to reflect the specific concerns of Commonwealth Center which were not covered by the general concerns expressed to you and the Director by the Ad Hoc Lawyers Committee. You may treat all of the comments of the Ad Hoc Committee as being incorporated by reference.

Based upon general discussions with Myrna Putziger on behalf of Campeau, I believe these comments also reflect the views of Campeau, although in the interest of time I am forwarding this revision to you simultaneously with its delivery to Myrna, and she and her clients may therefore have additional comments with regard to some of these details. I would like, however, to specifically acknowledge her contribution of the insert on page 35 with regard to Neighborhood Business Opportunities which she undertook to redraft based upon her prior experience in drafting the Equal Employment Opportunities language.

One matter which we have discussed by telephone, but which I want to highlight here, is the necessity of enlarging the blue area of the PDA District for what is now referred to as Block 2 to include the Evans House and the adjacent lot at 176 Tremont Street, so that the entire project on Parcel 30 will be located within a single zoning district.

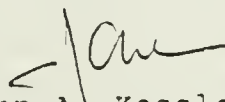
GASTON & SNOW

Ted Chandler
October 17, 1988
Page Two

Needless to say, both Myrna and I and either of our clients would be happy to meet with you or any other members of the staff if we can assist you in any way in preparing the revised draft of the proposed zoning. I believe that I can also speak for the Ad Hoc Lawyers Committee in saying that if the Committee can assist with those portions of the redrafting which you have already undertaken in response to the Committee's comments, the Committee would certainly be willing to meet with you again or to review an interim draft prior to its release so as to facilitate issuing a redraft which can be close to a final version for public discussion prior to the hearing on November 15th.

Thank you for your cooperation in this matter. Please do not hesitate to call me if I can be of assistance in any way.

Sincerely yours,


John A. Kessler, Jr.

JAK/keb
Enclosure
cc: Alexander C. Twining
William G. Constable, Esquire
Myrna Putziger, Esquire

GASTON & SNOW

COUNSELLORS AT LAW

ONE FEDERAL STREET

BOSTON, MASSACHUSETTS 02110-2099

617/426-4600

TELEX 94 0660 GASTON BSN
CABLE GASTOW
TELECOPY 617/426-6666
617/380-6146

14 WALL STREET
NEW YORK, NEW YORK 10005

666 FIFTH AVENUE
NEW YORK, NEW YORK 10103

4722 NORTH 24TH STREET
PHOENIX, ARIZONA 85016

101 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94111

CLIENT/FILE NUMBER:

December 30, 1988

Mr. Robert L. Farrell
Chairman
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, Massachusetts 02108

Re: Comments on Proposed Article 38 - Midtown Cultural District

Gentlemen:

On behalf of F. D. Rich Company, A. W. Perry and the Commonwealth Center Project, the following comments are submitted on the proposed Article 38 draft issued on December 16 in addition to (1) the detailed comments of Rich/Perry being submitted under separate cover and (2) the general comments of the Ad Hoc Lawyers Zoning Committee which we have participated in preparing and strongly endorse.

Page 25 - Section 38-14(2) - Rehabilitation of Theatres

We strongly endorse the proposal of the Lawyers Committee for the substantial revision of this Section, but to specifically take into account the administration of major projects which are to be developed in phases, such as Commonwealth Center, we would propose the addition of the following language to the end of paragraph B (on page 5 of the Lawyers Committee Memorandum): ". . . or if the Proposed Project is being developed in phases, 51% of the gross floor area for the applicable phase of the Proposed Project with which the rehabilitation has been linked in the Development Plan." This kind of mechanism is essential both to the developer and to the City to permit the pairing of the rehabilitation of the Paramount Theatre with Phase I of the Commonwealth Center Project on Parcel 30 and the construction of the proposed additional theatre on the Keith Block in connection with the development of Phase II of Commonwealth Center on Keith Block.

Page 28 - Section 38-14(3) - Affordable Housing

Although not directly relevant to Commonwealth Center, several words were apparently inadvertantly omitted from the changes submitted by the Ad Hoc Lawyers Committee. The Committee had thought the BRA had already agreed to add the

GASTON & SNOW

Boston Redevelopment Authority
December 30, 1988
Page -2-

words "On site" before the sentence "Affordable units shall be comparable in size, appearance and quality to dwelling units within the Proposed Project." In addition, to facilitate phased housing projects, the new sentence proposed by the Committee at the end of Paragraph 3 should read ". . . at the time that a building permit is issued for the applicable phase of the Proposed Project."

Page 29 - Section 38-14 - Applicability of Future Amendments

It is particularly important for a major project such as Commonwealth Center which is proposed to be constructed in phases that the new Paragraph 7 to Section 38-14 proposed by the Lawyers Committee be included in the Code to give zoning protection for a subsequent phase of a project. In addition to the language proposed by the Lawyers Committee which I did not have the opportunity to see in final form prior to its transmission to you, we think it essential that language be added to make clear that "construction of a subsequent phase in a time frame generally consistent with the development schedule set forth in the Development Plan of the Proposed Project shall be deemed to be work lawfully begun which is proceeding in good faith continuously to completion so far as is reasonably practical under the circumstances in accordance with the requirements of Section 5 of said Chapter 665." Without this protection, the project would probably not be financable.

Page 47-54 - Section 38-18 - Specific Design Requirements

The comments of Rich/Perry submitted to you today propose specific changes in the dimensional requirements which will permit the current plan for Commonwealth Center to be constructed without giving the appearance of being at variance with specific standards adopted for the Midtown Cultural District. Of paramount importance is their proposed change to the shadow impact criteria to conform to time frames widely accepted in this area of analysis, which is essential to the viability of the Project. It would be preferable both to modify these specific dimensional requirements as suggested by Rich/Perry and to remove the dimensional requirements from the Code itself and include them in design guidelines to be administered by the BRA. But whatever combination of the approaches proposed by Rich/Perry and the Lawyers Committee are adopted, it is essential that the differences between the dimensions of the proposed Commonwealth Center Project and the dimensional requirements specified be reduced so that a project which is so crucial to the success of the entire Midtown Cultural District is not in the position of attempting to obtain Exceptions from the Board of Appeals for a project which can be perceived to be at variance with the "standards" either

GASTON & SNOW

Boston Redevelopment Authority
December 30, 1988
Page -3-

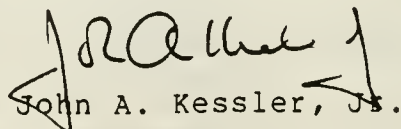
set forth in or referred to in the Code, without at least the benefit of a formal finding by the BRA that the Proposed Project conforms with the design guidelines of the Midtown Cultural District Plan. There is no way to over-emphasize the threat to the viability of both Commonwealth Center and the Midtown Cultural District if the Project were to fail to obtain the necessary Exceptions.

Pages 57-8 - Section 38-20 - Restrictions on Change of Use or Occupancy of Theatres

As referred to above under Section 38-14(2), Commonwealth Center plans to rehabilitate the Paramount Theatre simultaneously with its construction of Phase I of Commonwealth Center on Parcel 30, and to construct an additional theatre on the Keith Block simultaneously with its construction of Phase II of Commonwealth Center on the Keith Block. It is therefore essential that Section 38-20(2) be drafted so as to permit the approval of the Change of Use Permit for the present State Theatre on Parcel 30 in connection with the rehabilitation of the Paramount Theatre, and the subsequent construction of an additional theatre to replace the Paramount Theatre. The Section as currently drafted could be open to the interpretation that a replacement theatre must be new construction, rather than the simultaneous rehabilitation of an existing theatre and subsequent construction of a new theatre. Commonwealth Center cannot undertake to both rehabilitate the Paramount Theatre and construct a new theatre on Keith Block simultaneously without the construction of Phase II on Keith Block, which is proposed to occur in a later time frame. As with the proposed change to Section 38-14(2) above, clarification of this point is essential to the economic viability of Commonwealth Center and the public benefits it has proposed.

Thank you for the opportunity to comment upon this exciting new zoning approach to an important section of the City of Boston. I would like to reiterate on behalf of F. D. Rich and A. W. Perry our support for the comments of the Ad Hoc Lawyers Zoning Committee, which are extremely important to the effective and economically viable implementation of the Midtown Cultural District Plan.

Sincerely yours,


John A. Kessler, Jr.

JAK/keb
cc: S. Maxwell Beal
Thomas J. Rich

PEABODY & BROWN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ONE BOSTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 723-8700

TELEFAX: (617) 723-4624
CABLE: PEABODYB
TELEX: 951019

November 1, 1988

Theodore S. Chandler, Esq.
Boston Redevelopment Authority
City Hall - 9th Floor
Boston, MA

Re: Park Plaza Project

Dear Ted:

This is a follow-up to our telephone conversation on Friday regarding the proposed Midtown Cultural District Plan and the Park Square project to be developed by my client, The Pavilion Corporation. As we discussed, my client and I are concerned that Section 38-5 5(a), relating to obtaining an Incentive FAR in conjunction with providing affordable housing, requires that either 10% of the dwelling units in the proposed project be affordable or that affordable housing be created elsewhere in the Midtown Cultural District or in Chinatown. As you are aware, the Park Square project is involved in a Parcel to Parcel Linkage program with a project in the South End. We believe that the BRA should consider amending Section 38-5 5(a) so that affordable housing created elsewhere in the city pursuant to parcel to parcel linkage would satisfy the affordable housing requirement.

We also discussed Section 38-5 4 of the Proposed Plan, which excludes certain floor area in the calculation of FAR. I raised two concerns. First, this floor area exclusion is capped at an FAR of one. If the entire ground level of a project was devoted to Ground Level Uses, it would appear that any other uses qualifying for a floor area exclusion, such as area leased pursuant to the Neighborhood Business Opportunities provisions, or area utilized for an on-site day care or family care center or for non-profit Cultural Uses, would not result in any benefit with respect to the calculation of FAR. Second, it is not clear how the Neighborhood Business Opportunities provisions would operate to exclude floor area, since these provisions require that space be leased, and when a project proponent addresses FAR calculations with the Boston Inspectional Services Division, it is not likely that any particular area in a project will be leased pursuant to the Neighborhood Business Opportunities provisions.

PEABODY & BROWN

Theodore Chandler
November 1, 1988
Page 2

My client will be meeting with our architect in the near future to discuss the specific design requirements contained in Section 38-10. We intend to contact you before the November 15, 1988 public hearing if we have any specific concerns regarding these design requirements.

My client and I are very interested in receiving a copy of the revised draft of the Midtown Cultural District Plan in advance of the public hearing. Accordingly, if someone in the BRA has developed a mailing list of parties who are interested in receiving this revised plan, I would appreciate being included on that list.

Please feel free to contact me if I can ever provide any assistance regarding this project or if you have any questions regarding this letter.

Very truly yours,



Paul E. Bouton

PEB/ctv

cc: G. Kent Gonzales
Edward J. Lubitz, P.C.

Midtown Cultural District Task Force

文化區工作小組

December 29, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
9th Floor
One City Hall Plaza
Boston, Ma. 02201

Dear Mr. Farrell,

The Midtown Cultural District Task Force has reviewed the proposed Article 38 zoning and at a meeting of its Executive Board and Citizens Advisory Committee yesterday endorsed the zoning whole-heartedly. The provisions for design review, cultural facilities, jobs, historic preservation, daycare and affordable housing are nicely balanced with the need for growth and development.

A small number of minor suggestions have been forwarded to Ted Chandler regarding the wording of the document, from our Cultural Facilities Committee. The Task Force would like to see those clarifications of language implemented in a zoning appendix.

We share the concerns raised by the New England Medical Center Hospitals regarding daycare and support their request for a playground at Elliot Norton Park. We also understand that the boundary question over their Tremont Street garage has been corrected.

The Task Force is responding to the concerns of the Chinatown Housing and Land Development Task Force and has scheduled a meeting for January 6. As you know, economic development is not the sole cause of gentrification, nor is it within the B.R.A.'s power to prevent it from occurring. Over the years we have worked on several legislative remedies that address displacement and gentrification issues including Mayor Flynn's Neighborhood Stabilization Act. We believe that the test of burdens versus benefits is the best way to address these concerns, from our perspective. Please be assured that we are sensitive to this issue.

We do understand the concerns expressed by the Downtown Crossing Association over the future potential for the block bounded by Winter, Washington and Bromfield Streets and would hope that the B.R.A. will acknowledge these concerns as it continues to plan for this area and the Midtown Cultural District.

I can not conclude this letter without noting the magnificent performance of the Boston Redevelopment Authority and the city's Office of Arts and Humanities. The Task Force - now with over 200 members - looks forward to supporting the Midtown Cultural District Plan in the years to come.

Most Sincerely,

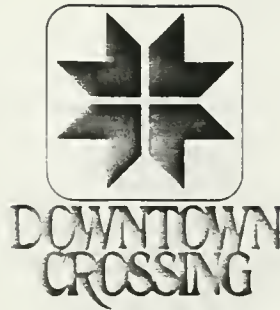
A handwritten signature in cursive script, appearing to read "Lawrence Murray", written over the printed name.

Lawrence Murray

Chair, Midtown Cultural District Task Force

Downtown Crossing Association
59 Temple Place
Boston, Massachusetts 02111
(617) 482-2139

Bethany B. Kendall
Executive Vice President



November 15, 1988

Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall, Room 900
Boston, MA 02201

Dear Mr. Coyle:

On behalf of the Downtown Crossing Association, I wanted to write to provide you with our comments relative to the proposed Midtown Cultural District Plan and zoning regulations to be addressed at a hearing on December 8. As Vice Chair of the Midtown Cultural District Task Force, I have appreciated the open process, BRA staff guidance and the opportunity to participate in numerous discussions relative to development in the Center City area.

We are pleased that the Boston Redevelopment Authority has focused on the critical need to revitalize the "midtown" district as well as the importance of creating a center for cultural activity in the heart of the city. We agree that a master plan is necessary to ensure a comprehensive approach to future development that contributes to and complements the retail, office, residential and cultural uses in this area.

However, we do want to bring to your attention several concerns relative to the proposed zoning regulations. Commercial redevelopment along lower Washington Street, in particular, the remodeling of Jordan Marsh, the enhancement of Lafayette Place and the addition of a major new department store and office space is essential to realizing our goals for the Midtown Cultural District. In order to facilitate such a project, PDA II should be extended so as not to divide the site of Campeau's proposed development, "Boston Crossing". Specifically, it should be extended north to Summer Street to include Lafayette Place and Jordan Marsh. Campeau proposes to reconstruct both of these buildings in a manner which will significantly benefit the Midtown Cultural District and Downtown Crossing.

Stephen Coyle, Director
Boston Redevelopment Authority
November 15, 1988
Page 2

We are also supportive of the Commonwealth Center project. Along with the Campeau development, Commonwealth Center will serve to extend and anchor the Downtown Crossing at the lower end of Washington Street.

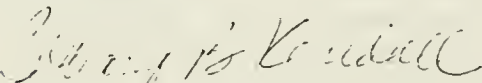
Farther north on Washington Street we would like to see the block bounded by Winter Street and Bromfield Street included in a PDA to allow some flexibility for review of future development on that site. This block represents a key location within Downtown Crossing and it is therefore important that options remain open for review of proposals which seek to enhance and upgrade these properties consistent with our goals for the district.

While we believe that some protection should be afforded to local businesses displaced by a development project, we are concerned with the regulations described in the section on neighborhood business opportunities. Although it may be feasible for buildings with limited retail space, these regulations would severely restrict leasing practices in major retail projects. Perhaps in the case of large retail centers, an affirmative marketing program rather than a regulated percentage of gross floor and ground floor area would be more useful and appropriate.

Finally, with respect to control of display windows, the regulations do not take into consideration the particular display requirements of a retailer with specialized merchandise. Perhaps it would be more advisable to incorporate display window area as part of design review rather than zoning regulation.

We appreciate your consideration of our comments in preparation for the upcoming hearing. The Downtown Crossing Association looks forward to continuing to work with you towards achieving our mutual goals for the Midtown/Cultural District and the City of Boston.

Sincerely,

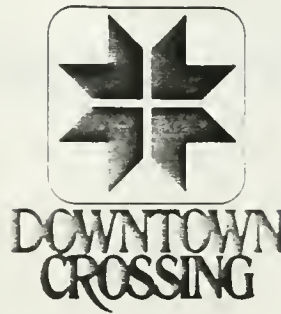


Bethany B. Kendall

BBK/p

Downtown Crossing Association
59 Temple Place
Boston, Massachusetts 02111
(617) 482-2139

Bethany B. Kendall
President



HAND DELIVER

December 28, 1988

Robert Farrell, Chairman
Boston Redevelopment Authority
Boston City Hall, Room 900
Boston, MA 02201

Dear Mr. Farrell:

On behalf of the Downtown Crossing Association, I wanted to write to express our support relative to the proposed Midtown Cultural District Plan and zoning regulations. As Vice Chair of the Midtown Cultural District Task Force, I have appreciated the open process, BRA staff guidance and the opportunity to participate in numerous discussions relative to development in the Center City area.

We are pleased that the Boston Redevelopment Authority has focused on the critical need to revitalize the "midtown" district as well as the importance of creating a center for cultural activity in the heart of the city. We agree that a master plan is necessary to ensure a comprehensive approach to future development that contributes to and complements the retail, office, residential and cultural uses in this area.

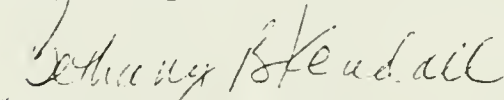
Throughout this process, we have submitted remarks to BRA staff on a variety of issues and have been pleased that our comments were considered and recommendations often implemented. While we generally support the latest revision of the Midtown Cultural district regulations, we do want to mention a concern that the regulations not preclude an opportunity to consider revitalization of a critical block within Downtown Crossing. Bounded by Winter, Washington and Bromfield Streets that block is unique as it fronts on two sides onto the pedestrian mall in the heart of the downtown retail district.

Robert Farrell, Chairman
Boston Redevelopment Authority
December 28, 1988
Page 2

The Druker Company, owners of a large portion of this block is at an early stage in the conceptualization of development plans for this site which would build on the success of the Downtown Crossing pedestrian mall. Although we of course cannot and do not endorse any proposed development plan for this location in advance of its completion and review, we would hope it would be possible to avoid foreclosing options with respect to the potential development of the block. Because of the unique characteristics of this block, further study may be desirable as well as the opportunity to evaluate such development with particular attention to the implications for the revitalization of the Downtown Crossing area.

We appreciate the opportunity to participate in the process and to express our support of the Midtown Cultural District plan. We look forward to continuing to work with you towards achieving our mutual goals for the City of Boston.

Sincerely,


Bethany B. Kendall

BBK/p

Boston GreenSpace Alliance, Inc.

November 15, 1988

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
City Hall, 9th Floor
Boston, MA 02201

Dear Mr. Coyle,

At the November 15, 1988 meeting of the Boston GreenSpace Alliance Board of Directors it was formally voted to request that the BRA do a study and analysis of the cumulative impact on Boston Common of all development projects proposed in the vicinity.

While we support the creation of new jobs and economic opportunities and the revitalization of the Theater District, we are concerned about the potential shadow, wind, scale, and massing impacts which may be caused by office/residential towers proposed for the area around the Common.

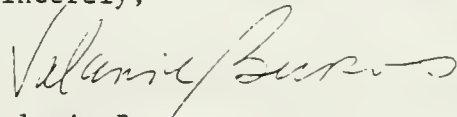
As you know, the Common is the oldest public open space in the United States. It is much used by people from the neighborhoods as well as commuters and visitors to Boston. Now it is in the midst of its greatest revival in decades. High office towers could shade the Common in the morning, exacerbate destructive and unpleasant winds, and potentially disrupt the scenic and tranquil qualities which so many enjoy there.

The wind and shadows that could result from new office towers close to the Common will impinge on the pleasure of Chinatown families feeding the squirrels. It could reduce the simple pleasure Bostonians derive from taking a break on a bench, meeting a friend, or using the Common as a pleasant pedestrian link. Even at this time of year the Tremont Street Mall is much used, particularly where it is sunny. A series of office towers could severely inhibit use of the Common by neighborhood residents and visitors alike.

We do not raise this issue now out of a concern with any particular project. We feel if these issues are addressed now, while a number of major projects are still in the planning stage, a balanced accommodation can be achieved.

Your concern and depth of knowledge expressed at the recent AIA Award at the Parker House impressed many of us. We congratulate you on the award and look forward to working with you and your staff not only on the protection of Boston Common but on other issues vital to the quality of life here in Boston.

Sincerely,

A handwritten signature in dark ink, appearing to read "Valerie Burns", with a stylized flourish at the end.

Valerie Burns
President

A handwritten signature in dark ink, appearing to read "Mark Primack", with a stylized flourish at the end.

Mark Primack
Executive Director

cc: Commissioner William Coughlin, Boston Parks and Recreation Department
Justine Liff, Boston Parks and Recreation Department
Kristen McCormack, Boston Redevelopment Authority
Shirley Muirhead, Boston Redevelopment Authority
Homer Russell, Boston Redevelopment Authority
Henry Lee, Friends of the Public Garden and Common

Boston GreenSpace Alliance, Inc.

44 Bromfield Street #207 Boston, Massachusetts 02108 (617) 426-7980

December 6, 1988

Mr. Stephen Coyle, Director
Mr. Robert Farrell, Chairman
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Coyle and Mr. Farrell,

Thank you for the opportunity to testify today on the Midtown Cultural District Plan and zoning regulations.

The Boston GreenSpace Alliance is a coalition of over one hundred organizations and agencies concerned with open space in Boston. There is much in the Midtown Cultural District Plan and Regulations we heartily support. We applaud the plan's attention to the cultural community and to historic preservation and its use of linkage funds and leverage to create job training, affordable housing, and performance and gallery spaces. We are not opposed to the construction of new buildings in the district, for we support this city's initiatives to create new jobs and economic development opportunities. We are pleased with the Boston Common protection zone and the creation of an endowment for the Common. Our support notwithstanding, we are seriously concerned about potential negative impacts on Boston Common which may result from shadows, wind, and the scale of the plan and zoning when fully built out. While the plan may well enhance the Common, it may also diminish it. We therefore urge you to proceed cautiously until these issues have been resolved.

As you know, Boston Common is the oldest public space in the United States, held for the common good since 1634. This landmark is a major piece of our local and national heritage; it is a resource of primary recreational and cultural value to the people of Boston. This historic parkland provides an important naturalistic respite and

Officers

President Valerie Burns, Boston Natural Areas Fund • *Vice President* Lorraine Downey, Boston Environment Department • *Vice President* Charlotte Kahn, Boston Urban Gardeners • *Vice President* Henry Lee, Friends of Public Garden & Common • *Treasurer* Ken Withers, Fenway Garden Society • *Clerk* Jane Paquet-Whall, Dorchester Park Association • *President Emeritus* Ed Cooper, Highland Park 400

Board of Directors

Kathy Abbott, Department of Environmental Management • Diego Alverado, Carter Playground Association • Thelma Barros, Operation Food, Inc. • Alexandra Bell-Whitten, Executive Office of Environmental Affairs • Marianne Connolly, MetroParks • Jackie Cooper, Castle Sq. Child Development Ctr. • Christine Cooper, Jamaica Pond Project • Robert Daley, Mass. Horticultural Society • Charlie Doyle, Friends of Ringer Park • John Feingold, Trust for Public Land • Jim Gorman, Arnold Arboretum Committee • Sarah Hamilton, M.A.S.C.O. • June Hatfield, Northeastern University • Blossom Hoag, Sierra Club, Boston Chapter • Janet Hunkel, League of Women Voters, Boston • Peter Jackson, Boston Society of Landscape Architects • Betsy Johnson, Claremont Neighborhood Association • Lawland Long, Quincy School Community Council • Valerie Maillet, Suffolk County Extension Service • George Marsh, Friends of Boston Harbor Islands • Jamilee Martin, Franklin Park Coalition • Mollie Mason, Beacon Hill Civic Association • Kelly McClintock, Environmental Lobby of Mass. • Ollie Melvin, Mary Ellen McCormack, BHA • Marla Meyer, C.E.J.P. Fund, Inc. • John Monroe, Charles River Watershed Association • Shirley Muirhead, Boston Redevelopment Authority • Lynn Mustien, Friends of Boston Waterfront Parks • Mark Olezek, Back Bay Association • Jo Proctor, Arnold Arboretum of Harvard University • Renee Roblin, Program for Public Space Partnerships • Marsha Rockefeller, Mass. Audubon Society • Polly Selkoe, Jamaica Hills Association • Rob Stephenson, Boston-Fenway Program • Leroy Stoddard, Southwest Corridor Community Farm • Judy Ulman, Solomon Lewenberg Parent Council • Bill Walczak, Columbus-Savin Hill Civic Assoc. • Bob Weinberg, Friends of Post Office Square • Victoria Williams, Boston Parks and Recreation Dept. • Gerry Wright, Mass Council of Human Service Providers

Executive Director Mark Primack • Legal Counsel Doug MacDonald, Palmer & Dodge

meeting ground in the center of our busy city. Today it is in the midst of its greatest revival in decades, a revival initiated by Mayor Flynn and implemented by a rejuvenated Parks and Recreation Department. Boston Common has once again become a worthy gateway to the Freedom Trail and to the cultural and shopping districts and an honorable frontyard to the State House. But most importantly, it has been restored to the many people who use and enjoy it.

Even now in December, the Common is busy. Elderly Chinese people, using the Common as their neighborhood park, bring their grandchildren to feed peanuts to the semi-tame squirrels. People from Boston's neighborhoods and surrounding communities emerging from the T station or walking to Downtown Crossing or the Financial District take a last breath of the Common's refreshing air as they head to appointments, offices, and retail establishments. Visitors from Japan and Des Moines are studying their maps on a bench. Second and third shift workers are relaxing around the planters. Just last Sunday, thousands gathered on the Common for the annual family-oriented holiday celebration. If the proposed plan and zoning regulations are passed in their present form, we fear that a shadow could fall over the simple pleasure so many Bostonians and visitors derive from the Common.

Though the zoning regulations call for reasonable height limits directly adjacent to this historic site, limits which we vigorously support, there remain a number of unresolved questions regarding the impact of towers built to the 350-400 foot limit one or two blocks away from the Common. Current shadow studies are a snapshot of a few times of day and times of year. We do not yet know how many months or hours of the day proposed towers will cast shadows or where these shadows will fall. At our request BRA staff is working to produce additional studies and we look forward to seeing these studies and working with the staff.

In addition to shade, proposed towers could alter the human scale one feels in and around the Common. The 250 foot Tremont-on-the-Common not only casts a long shadow, but it looms ominously, a wall along the Common's edge. What kind of experience will the proposed zoning regulations create in the Common for the people of Boston: a sense of openness or a feeling of being in a cold, dark canyon? Is it really possible to build this many new buildings of the proposed height without cumulatively violating the plan's own wind standards?

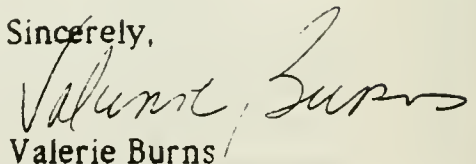
Will the passage from Chinatown or Downtown Crossing to the Common be a wind tunnel?

Also we are concerned about the plan's proposals for the Boylston/Tremont corner of the Common. We vigorously oppose the institution of a restaurant, built or paved performance space, or any new structure on this hallowed and democratic meeting ground. Surely with some additional thought, existing elements of the Common, such as Parkman Bandstand, could be better utilized for the district's programming. A Midtown Cultural District which removes green space from Boston Common violates a significant aspect of our common cultural heritage. The Parks Department, open space advocates, the cultural community, and the BRA need to work to make this part of the Common function in a better way, but simply extending the Midtown Cultural District into the Common is no answer. The Common is cut of whole cloth--it does not belong to any one district of the city but to all the people of Boston, present and future.

These concerns notwithstanding, we support the overall vision of the Midtown Cultural District and Zoning Regulations. We have been impressed with the skills, knowledge and responsiveness of the BRA staff. Our feeling remains though that proposed building heights and plans could potentially harm this historic open space. Until additional shadow and massing studies have been completed and until the plan better reflects the Common's value to the people of Boston, we feel that you should proceed cautiously on your decision regarding the plan and regulations. We will work with you and the BRA's staff on the speedy resolution of the issues we have raised.

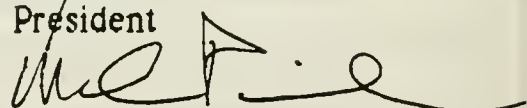
Thank you.

Sincerely,



Valerie Burns

President



Mark Primack

Executive Director



Greater Boston
Chamber of Commerce
600 Atlantic Avenue
Boston, MA 02210-2200
(617) 227-4500

November 16, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
City Hall
Boston, MA

Dear Mr. Coyle:

The Center City Task Force of the Greater Boston Chamber of Commerce has extensively reviewed the Boston Redevelopment Authority's plan and proposed zoning regulations for the Midtown Cultural District. As you know, the Task Force is a coalition of community groups, businesses and institutions from the five Center City neighborhoods--Chinatown, Downtown Crossing, Theater District, Medical area and Park Plaza. The group has been actively working together over the past several years to promote economic and physical revitalization in the lower Washington Street area and environs. We are pleased and encouraged by the City's efforts to create a comprehensive, visionary plan for Midtown that meets the diverse needs and goals of both the Chinatown and cultural communities.

As part of our ongoing work, we are currently drafting a report which will discuss some of the operational "quality of life" issues that need to be addressed as plans for the Midtown Cultural District are implemented. Some of our members are participating in the Midtown Cultural District Task Force, and we expect that the constant exchange of information and ideas between the two groups will help bring to life the community planning objectives we all share.

Since much of the Center City Task Force's discussion over the past three years has focused on plans for Parcel 31, we would like to direct our comments to the proposed plan and zoning regulations for this block. The BRA, with input from the Midtown Cultural District Task Force and the Mayor's Office of Arts and Humanities, has set forth a vision for Parcel 31 which the Center City Task Force supports. We firmly believe that Parcel 31 presents a unique opportunity to create an exciting focal point for the emerging Midtown Cultural district. And, as described in the Midtown Cultural District Plan, we envision a lively, mixed-use area with 18-hour-a-day activity and an inviting central cultural component for the visual and performing arts.

While in general the Task Force agrees with the BRA's plan for the area, we would like the BRA to address the following issues:

Height and Density

Currently, the BRA proposes a maximum height limit of 155' for all buildings on the block and a FAR of 10. The proposed zoning for this block could hinder, rather than encourage, development. Based on a preliminary economic feasibility analysis undertaken by the Task Force, we believe that to make parcel redevelopment economically feasible and to generate the kinds of benefits envisioned, a "critical mass" of activity must be created. Our findings indicate the necessity of developing at least one larger-scale building. Thus, we urge the BRA to establish a PDA for Parcel 31. This would expedite the kind of larger scale development needed to revitalize the area.

Housing

The BRA recommends creating 150 units of affordable housing for Chinatown residents within Parcel 31. We recognize the pressing need for affordable housing and fully agree that plans for Parcel 31 should include housing. We encourage the BRA to further evaluate the mix of affordable and market level housing most appropriate for this particular block.

Neighborhood Economic Opportunities

The BRA plan for Parcel 31 calls for opportunities for equity participation by minority business enterprises. We applaud this concept and believe that to ensure economic growth in the Chinatown community, the Boston Redevelopment Authority should encourage developers of the parcel to actively seek out and incorporate Asian-owned commercial and retail space. However, we are concerned that zoning regulations as they relate to neighborhood business opportunity provisions could have the unintended effect of restricting leasing practices and rendering prime retail space unutilized. Developers could also offer business incubator space for new enterprises to diversify Chinatown's economy. In addition, area residents, particularly from the Chinese community, should be recruited for both construction and permanent jobs on-site.

Service Retail

We agree that retail establishments should be included in development plans for Parcel 31 and that active ground level uses are important to the vitality of the area. To meet the needs of the area's growing residential employee populations, we support the development of service retail shops (e.g. tailor, barber, shoe repair, etc.) as well as consumer goods retail in Parcel 31.

Access

The Task Force recommends locating all loading docks and service areas in Parcel 31 off-street and below-grade in order not to disrupt vehicular and pedestrian access. In addition, LaGrange Street should be incorporated into the new development as a major pedestrian passageway; it should not be left as an external roadway.

Open Space Management

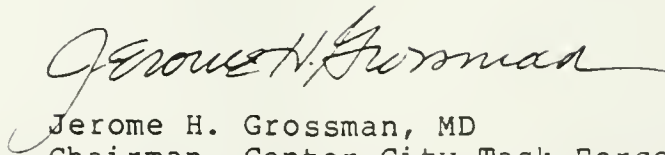
We fully support the BRA's notion that open space is a key element in the development of Parcel 31. To be successful, we believe that all open and public space in Parcel 31 should have a defined program for its use. One entity, such as the Midtown Cultural District Trust, should be responsible for programming performances and events for the indoor and outdoor common areas. This entity should also be in charge of maintenance and security for these spaces.

Master Plan

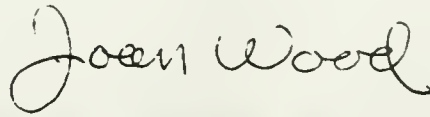
Given the importance of Parcel 31 to the overall revitalization of the Midtown Cultural District, we concur with the proposed establishment of a master plan committee to set direction and review plans for the block. Because the development of Parcel 31 will have a great impact on the five Center City neighborhoods, we propose that the master plan committee include representatives from each of these five neighborhoods. We also encourage the use of all available city, state and federal subsidies to expedite redevelopment.

The Center City Task Force looks forward to working with the City and other interested parties to make the plans and goals for the Midtown Cultural District a reality. We offer our help and support in any way possible to further the revitalization of the area and make it a vibrant and interesting place to live, work or visit.

Sincerely,



Jerome H. Grossman, MD
Chairman, Center City Task Force
President, New England Medical Center



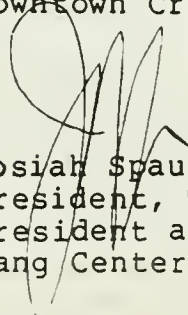
Joan Wood
Vice President
Park Plaza Civic Advisory Committee



Bill Moy
Moderator
Chinatown/South Cove Neighborhood
Council



Bethany Kendall
Executive Vice President
Downtown Crossing Association



Josiah Spaulding
President, Theater District Association
President and General Manager
Wang Center for the Performing Arts

cc: Larry Murray
Barbara Barrows
Ted Chandler
Judee Shupe
Davis Woo
Miller Bleu



**New England
Medical Center Hospitals**

Jerome H. Grossman, M.D.
President

*1796 Boston Dispensary
1894 Floating Hospital for Infants and Children
1938 Pratt Clinic
1948 New England Center Hospital
1958 Rehabilitation Institute*

*The principal teaching
hospitals for Tufts University
School of Medicine*

*750 Washington Street
Boston, Massachusetts 02111
Telephone: (617) 956-5000*

November 18, 1988

**Stephen Coyle
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201**

Dear Mr. Coyle:

New England Medical Center welcomes the opportunity to respond to the proposed Midtown Cultural District zoning regulations. As a leading academic medical center, a major Boston employer, and a long-term community member of Chinatown and Midtown, the Medical Center fully supports and commends the efforts of the City and communities in planning a vision for Chinatown and Midtown that responds to the history, culture, and community needs unique to these areas.

To continue its mission as a major regional center of medical training, education, research, and treatment, the Medical Center must expand its base of services to meet demand. Inpatient visits to the Medical Center are expected to increase approximately 5% over the next few years, and outpatient visits are expected to increase at a similar rate. The Medical Center is committed to ensuring that its growth occur in a way that respects and promotes the planning objectives of the neighborhoods of Chinatown and Midtown. To that end, the Medical Center is working with the city and the community to structure a Master Plan.

Over the past four months of discussions, the general parameters of the master plan have been set to include: total bed capacity of 750, replacement of outmoded inpatient care facilities, new emergency room facilities, additional research capacity, expanded ambulatory care facilities, and parking.

The following comments are designed to highlight aspects of the Midtown Cultural District zoning regulations that may impact development objectives agreed to in the planning discussions between the Medical Center and the BRA.

Uses: The Medical Center owns property and development rights in the Midtown Cultural District that are not currently used for institutional purposes, but may be needed in whole or in part to house Medical Center facilities in the future. Allowed institutional uses and allowed ground floor uses in the Midtown Cultural District exclude certain uses that are critical to the Medical Center's development program.

The Medical Center proposes that an Institutional Master Plan Area designation be added to the Midtown Cultural District zoning regulations that would allow institutional uses and accessory uses within the Midtown Cultural District. The Master Plan Area should include the Tremont Street Garage, Biewend Building, and Wilbur Theater. The Medical Center proposes that ambulatory care uses be considered allowed ground floor uses within the proposed Master Plan Area. In addition, the Medical Center anticipates that future development outside its core campus may include administrative office space and possibly housing for employees. We propose that the zoning regulations not specifically preclude this type of development.

Inclusion of Day Care of Family Care: The Medical Center is currently planning to locate a day care center of approximately 3,000 square feet adjacent to Eliot Norton Park to accommodate its employees. This amount of space is equivalent to roughly 2% of 150,000 square feet of development, and should be credited toward any obligation that arises from the zoning regulations.

Neighborhood Business Opportunities: Reinforcing the existing base of neighborhood business, and providing opportunities for expanding and diversifying that base, is critical to the growth and viability of Chinatown. The Medical Center fully supports this critical objective of both the Midtown Cultural District and Chinatown Community Plans.

The Medical Center understands the Neighborhood Business Opportunity provision to apply only to projects with 50,000 or more square feet available for lease, and not, as would probably be the Medical Center's situation with the proposed Wilbur/ICA project, to projects built to accommodate a predetermined amount of programmed uses. The Medical Center requests clarification of this provision as it would apply to overall development within the District.

Roof Top Additions to Historic Structures: The Wilbur Theater, rated category 2 by the Boston Landmarks Commission (BLC), is subject to the provisions for roof-top additions to historic structures, and setback requirements for such additions. The zoning regulations stipulates that additions to historic structures within PDAs are not eligible for height and density bonuses above 125 feet.

Given the unique dimensions of the Wilbur/ICA development site, the Medical Center seeks clarification as to the nature of setbacks and any other potential restrictions that may apply.

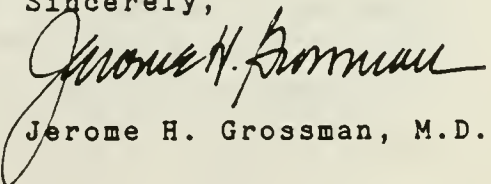
CONCLUSION/PROCESS

The Midtown Cultural District Plan is the product of the City's and community's abiding commitment to an improved quality of life for all those who live in, work in, or visit this area. The Medical Center offers its support in bringing to life these visionary community planning objectives.

The Medical Center wishes to fulfill its responsibilities as a partner in the historic Midtown and Chinatown planning efforts. These comments, designed to articulate the Medical Center's own needs within the context of the Midtown Cultural District Plan, are but one aspect of that partnership trust. The Medical Center will comment on zoning for Chinatown when those draft regulations are available for public review. In addition, the Medical Center will continue to explore creative partnerships and contributions with Chinatown and Midtown.

The Medical Center looks forward to continuing to work with the City, Chinatown/South Cove Neighborhood Council, Midtown Cultural District Task Force, and other interested parties in shaping zoning that achieves the many complex and important objectives and aspirations of these communities, the City, and the region.

Sincerely,



Jerome H. Grossman, M.D.



**New England
Medical Center Hospitals**

Jerome H. Grossman, M.D.
President

*1796 Boston Dispensary
1894 Floating Hospital for Infants and Children
1938 Pratt Clinic
1948 New England Center Hospital
1958 Rehabilitation Institute*

*The principal teaching
hospitals for Tufts University
School of Medicine*

*750 Washington Street
Boston, Massachusetts 0
Telephone: (617) 956-5000*

December 1, 1988

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: Midtown Cultural District/IPOD/
Orpheum Development

Dear Mr. Coyle:

Recently, I met with Ron Druker to discuss his concept about the redevelopment of the Orpheum Theatre and other properties which his company owns in that area. While my interests, as you well know, focus on lower Washington Street and Chinatown, I do have concern about the future of the center of The Downtown Crossing. Our Center City Task Force, of which Ron has been an active member, has worked for many years to create a vibrant "center city". The potential F.D. Rich and Campeau developments should help solidify and eradicate the combat Zone, but it is still important that the heart of The Downtown Crossing be strengthened as well. Ron's redevelopment would create a focal point in the center of The Downtown Crossing linking Washington Street to Tremont Street, as well as tying into public transportation, which would improve circulation and, thus, the viability of The Downtown Crossing.

Naturally, there will be many issues which the BRA should review, but I want to go on record as favoring The Druker Company's request for PDA zoning at 310 feet. I am certain that The Druker Company would produce a fine development for the city.

Should you have any questions, I would be happy to discuss them with you.

Sincerely,

Jerome H. Grossman, M.D.



New England
Medical Center Hospitals

Jerome H. Grossman, M.D.
President

1796 Boston Dispensary
1894 Floating Hospital for Infants and Children
1938 Pratt Clinic
1948 New England Center Hospital
1958 Rehabilitation Institute

The principal teaching
hospitals for Tufts University
School of Medicine

750 Washington Street
Boston, Massachusetts 02111
Telephone: (617) 456-5000

December 13, 1988

Stephen Coyle, Director
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

Dear Mr. Coyle,

We at New England Medical Center have reviewed the most recent draft of the Midtown Cultural District Zoning Regulations. As we have stated in earlier written comments and through our participation on the Midtown Cultural District Task Force and the Center City Task Force, we strongly support the proposed zoning regulations as a means for accomplishing balanced growth while directing significant benefits to Chinatown in the form of affordable housing, improved economic opportunities, and enhanced community service programs.

At this time, we would like to make two very specific comments relating to the zoning plan:

1. The Medical Center supports the day care provision. As one of the largest employers in Midtown, and with a large percentage of female employees, we agree that employers must increase the availability of day care in order to recruit and retain qualified personnel.

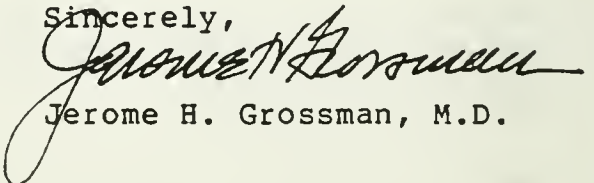
The Medical Center is committed to establishing a day care center for its employees and, as you may be aware, is prepared to lease 4,800 s.f. of below-grade space abutting the Eliot Norton Park. As you are also aware, before we can sign a lease we must identify adequate outdoor playground space (as a condition of licensure). We believe we have found a creative way to accomplish the stated objectives by utilizing a portion of Eliot Norton Park for playground space; we hope you will actively support our plan.

2. We are seeking clarification on the boundary of the proposed housing priority area in the southernmost portion of the new zoning district. The boundary included in Appendix C, which appears to be the correct one, excludes the Medical Center's

Tremont Street garage. However, the colored zoning map that provides an overview of the proposed zoning and the PDAs is drawn differently and includes the Medical Center's garage in the housing priority area.

We would like to commend the BRA for developing a zoning plan that should serve to accomplish a broad range of economic, social, and cultural goals and that has been responsive to the concerns of an exceptionally diverse constituency.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jerome H. Grossman". The signature is fluid and cursive, with a large, sweeping initial "J".

Jerome H. Grossman, M.D.

BOSTON PRESERVATION ALLIANCE

November 21, 1988

Mr. Stephen Coyle, Dir.
Boston Redevelopment Authority
City Hall
Boston, MA 02201

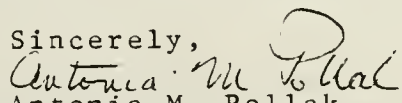
Dear Steve:

The Boston Preservation Alliance has had an opportunity to review some of the proposed changes to the Midtown Cultural District zoning plan and would like to make the following comments.

The Ladder Block sub-district should continue to be treated as a whole unit, defined by the boundaries of Tremont and Washington Streets and Bromfield to West Streets. Due to the distinct scale and character of the smaller structures located in this district, the provision for roof-top additions versus large scale construction is critical in maintaining both the architectural fabric and positive pedestrian environment of the area. Permitting roof-top additions and use of the Investment Tax Credits should make potential rehabilitation of these historic structures more feasible for owners. The Alliance feels strongly that your approach in restricting height and density in this already congested area while allowing for large scale development in other areas is appropriate.

The issue of "listing" properties to be earmarked for substantial rehabilitation remains an open question. Existing historic theatres should take precedent over other structures because they are large difficult spaces to redevelop and perhaps are the most in jeopardy. Other structures may be included but, again, I think we should discuss this issue in more detail.

We look forward to your upcoming presentation to our Executive Committee.

Sincerely,

Antonia M. Pollak
Executive Director

cc: Kristen McCormack, Dir. MCD
Ted Chandler, BRA

BOSTON PRESERVATION ALLIANCE

December 5, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Coyle:

The Boston Preservation Alliance has reviewed the revised Midtown Cultural District Zoning Plan. We support the overall planning effort to define by zoning the areas for appropriate new construction and encourage revitalization of this blighted area of our City.

The protection of a number of historic buildings within the District, however, remains of concern to the Alliance and has not been addressed satisfactorily in the most recent draft.

The Ladder Blocks should be treated as a whole. In addition to the Protection Area outlined in the draft, the area between Winter and School Streets and Washington and Tremont Streets should be included. This area which is currently designated Enhancement Area I should also have a height limit of 155'.

The Alliance opposes the inclusion of the historic Filene's building in Enhancement Area I. This building designed by Daneil H. Burnham & Co. in 1911 has been petitioned for Landmark status because of its unique architectural integrity. Other historic buildings in the area which have been petitioned are the Jewelers Building, 371 Washington Street, the Parker House, 60 School Street, and the Parker House Annex on Bosworth Street. Due to the proximity of other landmark sites to proposed Enhancement Area I including King's Chapel and Burying Ground, the Old Granary Burial Ground and Old City Hall, this area would be negatively impacted by large scale new construction.

The Alliance opposes the inclusion of the historic 600 Washington Street building in Enhancement Area II. The existing building and its massing contribute to the overall architectural character of lower Washington Street and the District.

Mr. Stephen Coyle

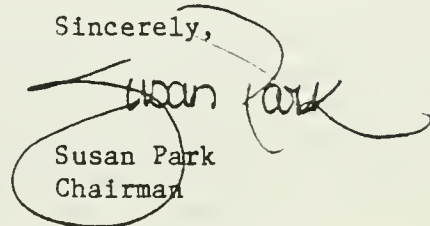
December 5, 1988

Page Two

The remaining portion of Enhancement Area II, referred to as the "Hinge Block", is appropriate for the guidelines presented in the Enhancement Area. New construction, however, should be sensitive to the smaller historic structures on the site.

The Alliance looks forward to continued discussion with your staff regarding these concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan Park", is written over a circular stamp. The signature is fluid and cursive.

Susan Park
Chairman

SCPP:wp

cc: Theodore Chandler, B.R.A.
Kristin McCormack, B.R.A.

BOSTON PRESERVATION ALLIANCE

Text of Comments by Susan Park, Chairman

B.R.A. Board Meeting, December 8, 1988

Mr. Chairman, members of the Board, my name is Susan Park. I reside at 166 West Canton Street in the South End. Today, I am speaking as Chairman of the Boston Preservation Alliance, a consortium of 33 preservation groups in the City of Boston representing approximately 25,000 individuals concerned about the protection of Boston's historic buildings.

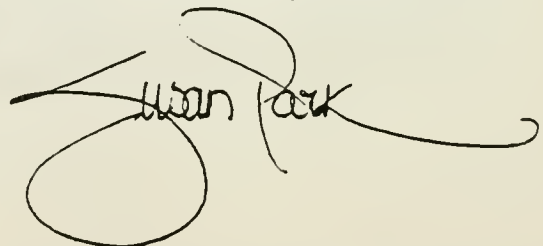
The Mid-Town Cultural District, while blighted now, contains an substantial and important collection of historic buildings, including late 18th century residential buildings, 19th century commercial buildings, and a number of important 20th century theatres. In addition, this district abuts Boston Common, which is a local landmark as well as being the oldest common land in the Country.

The Boston Preservation Alliance has long been an advocate for a Master Plan for the management of growth in Boston which respects these valuable resources.

The Alliance has been a member of the Mid-Town Cultural District Task Force for the past year. We have attended many meetings, sometimes as many as four a week! The result of this intense effort by numerous interest and community groups is the planning document which you have before you today. This document provides the framework for planned growth over the next 25 years in the Midtown Cultural District, one of the City's oldest and most historic areas. It sites new development in appropriate locations while encouraging the re-development of our historic structures.

With the adoption of the Mid-town Cultural District Zoning Plan, the rules for development will be understood and followed by all. New development can and will occur revitalizing this important commercial and retail district.

The Board of Directors of the Boston Preservation Alliance urges the adoption of the Midtown Cultural District Zoning Plan as presented.

A handwritten signature in dark ink, appearing to read "Susan Park", with a large, stylized loop at the bottom.

GOULSTON & STORRS

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW

400 ATLANTIC AVENUE

BOSTON, MASSACHUSETTS 02210-2206

617/482-1776

FAX/TELECOPY 617/574-4112

TELEX 94-0428 GOULSTORRS BSN

November 30, 1988

BY HAND

Paul McCann, Esquire
Boston Redevelopment Authority
9th Floor
One City Hall
Boston, Massachusetts 02201

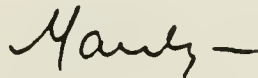
Re: Midtown Cultural District Zoning Plan

Dear Paul:

In follow-up to Ron's telephone conversation with you of earlier this morning, we have quickly scanned the discussion draft of the revised Article 38 which we received this morning and have confirmed that the maximum floor plate restriction of 22,500 square feet above the street wall height is still retained in Section 38-20-5(c).

I am enclosing for your information a letter which Ron wrote to Steve Coyle on October 11, 1988 with comments on the maximum floor plate restriction in Section 4 of the letter and which Dave Gilmore and I discussed with Ted Chandler at a meeting held on October 11. As I believe Ron explained to you, the maximum floor plate provision as currently drafted remains of great concern since it would severely limit the ability of an owner to benefit from the enhancement area provisions now included in the revised Article 38.

Very truly yours,



Marilyn L. Sticklor

Enclosure

cc: Messrs. Druker, Bell, Gilmore, Chandler and Keto (w/o enc.)
1040

GOULSTON & STORRS

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW

400 ATLANTIC AVENUE

BOSTON, MASSACHUSETTS 02210-2206

617/482-1776

FAX / TELECOPY 617/574-4112

TELEX 94-0428 GOULSTORRS BSN

December 21, 1988

BY HAND

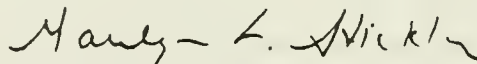
Stephen Coyle, Director
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Dear Mr. Coyle:

On behalf of The Druker Company, we are enclosing for the consideration of the BRA a proposed new subsection which would create a Gilchrist/Jewelers Special Study Area which we are proposing be included in the Midtown Cultural District Zoning.

As you know, it is the feeling of The Druker Company that the current version of the Midtown Cultural District Zoning fails to provide accurately for the development of the Gilchrist/Jewelers block. The proposed Special Study area designation would provide for a comprehensive study and plan to be prepared with a target completion date of the fall of 1989, and would set the groundwork for further supplementary zoning for this area, which is vital to the quality and experience of the Downtown Crossing area.

Sincerely,



Marilyn L. Sticklor

MLS/cjb

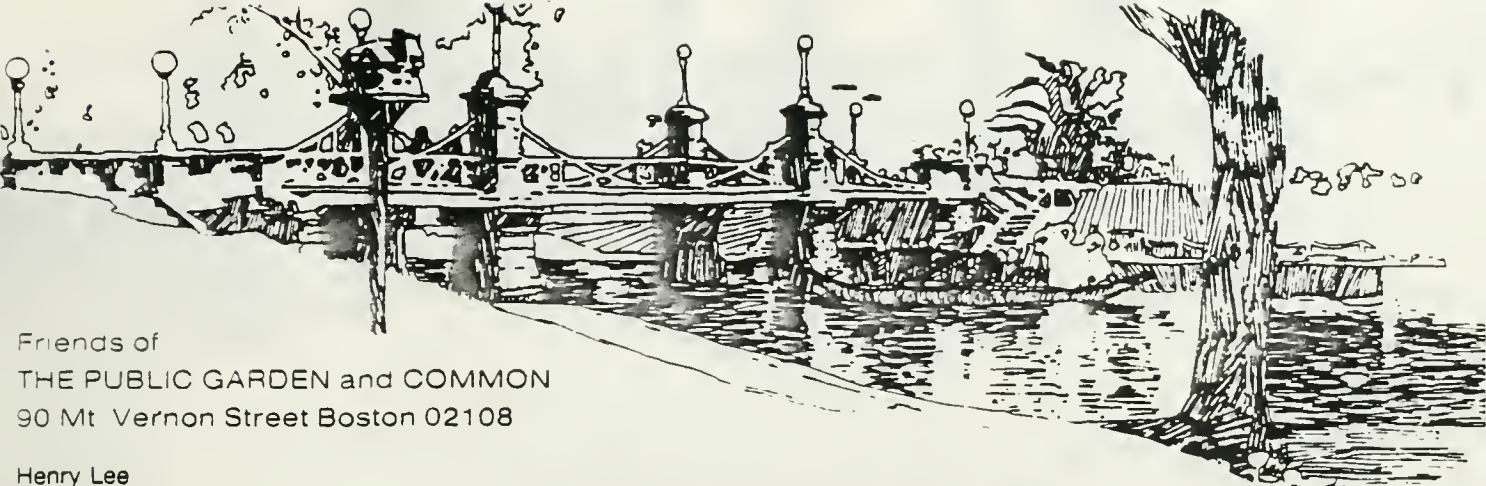
ccs: Messrs. Whitney, Grace, Chandler, Druker and Mses. McCormack and Kendall (all w/enc.) (all By Hand)

1077

SECTION 38-___. Gilchrist/Jewelers Special Study Area. The area depicted on the map in Appendix A as the "Gilchrist/Jewelers Special Study Area" has been established as a Special Study Area. Proposed Projects in the Gilchrist/Jewelers Special Study Area are subject to the provisions of Section 38-7, As-of-Right Building Height and Floor Area Ratio, and other provisions of this Article 38, except as otherwise provided in such supplementary zoning as may be enacted pursuant to a comprehensive study and plan developed in accordance with this Section 38-___.

A comprehensive study and plan for the Gilchrist/Jewelers Special Study Area shall be developed and shall address, at a minimum, the following: (a) the present applicability of past studies of the Gilchrist/Jewelers Special Study Area to current conditions; (b) the development potential of the Gilchrist/Jewelers Special Study Area and the likely benefits and burdens of such development, with particular attention to impacts, both positive and negative, on the revitalization of the Downtown Crossing retail area; (c) the extent to which supplementary zoning may be appropriate to achieve the following objectives with regard to the Gilchrist/Jewelers Special Study Area: (i) the preservation and encouragement of the rehabilitation and restoration of notable and historic buildings facing onto Bromfield, Washington, and Winter Streets, (ii) the expansion and revitalization of pedestrian-oriented retail activity in the Downtown Crossing area, (iii) the creation of pedestrian-oriented interior public spaces linking Winter and Bromfield Streets and Hamilton Place and Washington Street, with interior access to the Winter Street subway concourse, and (iv) the creation of cultural facilities and cultural opportunities consistent with the Midtown Cultural District Plan; and (d) if appropriate, a proposed text amendment to be presented to the Zoning Commission of the City of Boston modifying Article 38 consistent with the provisions of the comprehensive study and plan.

The comprehensive study and plan shall be prepared by the Boston Redevelopment Authority in consultation with other planning agencies of the City and concerned private entities and shall be issued by the Boston Redevelopment Authority not later than nine (9) months from the date of enactment of this Article 38.



Friends of
THE PUBLIC GARDEN and COMMON
90 Mt Vernon Street Boston 02108

Henry Lee
President
Mrs. William B. Trafford
Vice-President

Richard G. Scheide
Treasurer

Mrs. John D. Harmer
Secretary

Mrs. G. Kennard Wakefield
Ch. Horticultural Committee

Dec. 5, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

Dear Mr. Coyle:

Directors

China Altman
Eugenie Beal
Dolores Billings
Maria Cole
Marvin Collier
Ronald M. Druker
Edwin I. Firestone
Ronald Lee Fleming
John T. Galvin
Joan E. Goody
Thomas Kershaw
Harriet R. Lewis
Mrs. George M. Lovejoy, Jr.
June McCourt
Mrs. A. McVoy McIntyre
Margo Miller
Barbara W. Moore
Ann Dins Nemrow
Sydney R. Rockefeller
Mrs. Roger A. Saunders
David M. Solomon
Anne C. Swanson
Dana E. Vannasse
Cynthia A. Wall
Richard Wheatland
Richard White
Frederick R.H. Witherby

Representatives of the Friends met recently with Ronald Druker, who outlined to us plans for construction he might wish to undertake at some future date in the block fronting on Bromfield Street. He indicated that he hoped to retain the option of building above the height limits proposed for that block in the Midtown Cultural District Zoning Plan.

It is not possible for us to take a set position on a hypothetical project and, as you know, we have serious concerns regarding the environmental and visual impacts of other buildings being considered along Washington and adjoining streets. We note, however, that the area encompassing Mr. Druker's property is a retail intensive space where some increase in height would be, in our view, more appropriate and less damaging environmentally than is the case with several sites now earmarked in the Plan for further height.

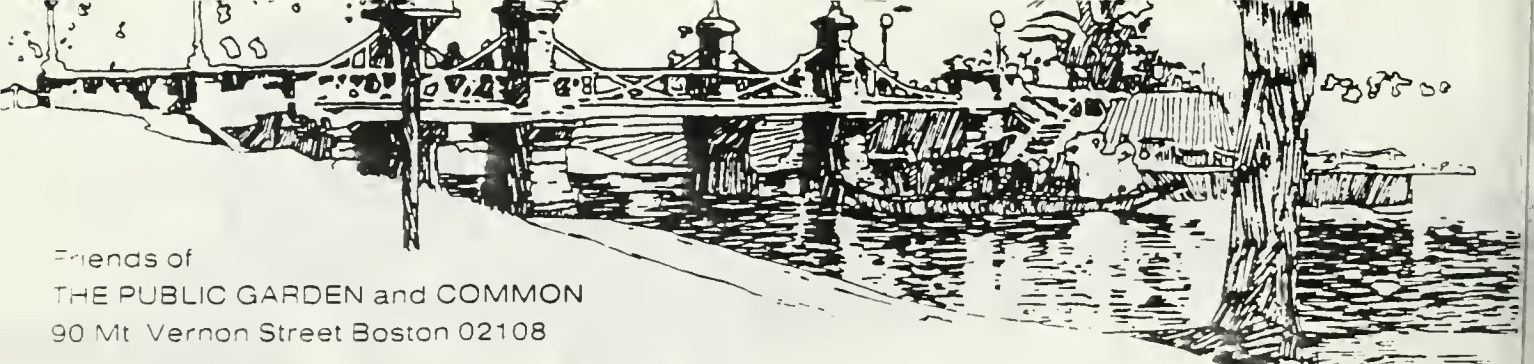
We would not oppose, accordingly, mid-block construction along Bromfield Street, including some height increase, that respected the architectural integrity of existing buildings on the Historic Register, that did not in final analysis infringe by scale, wind, or shadow upon the Common, and that contributed in ways approved by the Cultural District Task Force to the area's cultural amenities.

Honorary Directors

Mrs. Donald C. McKay
Edward A. Weeks

Sincerely yours,

Henry Lee



Friends of
THE PUBLIC GARDEN and COMMON
90 Mt. Vernon Street Boston 02108

Henry Lee
President

Dec. 14, 1988

Mrs. William B. Trafford
Vice-President

Richard G. Scheide
Treasurer

Mrs. John D. Harmer
Secretary

Mrs. G. Kennard Wakefield
Ch. Horticultural Committee

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

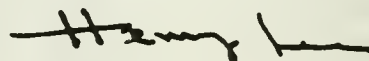
Dear Mr. Coyle:

Enclosed for the record is the letter to you that I mentioned at our meeting last week. It was written, as you know, previous to your decision to eliminate the enhancement zones in the Midtown District Plan.

We have not reneged on the contents of the letter, but I should make clear to you, as we have to Mr. Druker, that the Friends support your decision. It relieves us of many broad concerns over future impacts on the Common and sets a general policy with which we wholly concur.

We shall be sending you some further comments on the District Zoning Plan within the near future.

Sincerely yours,



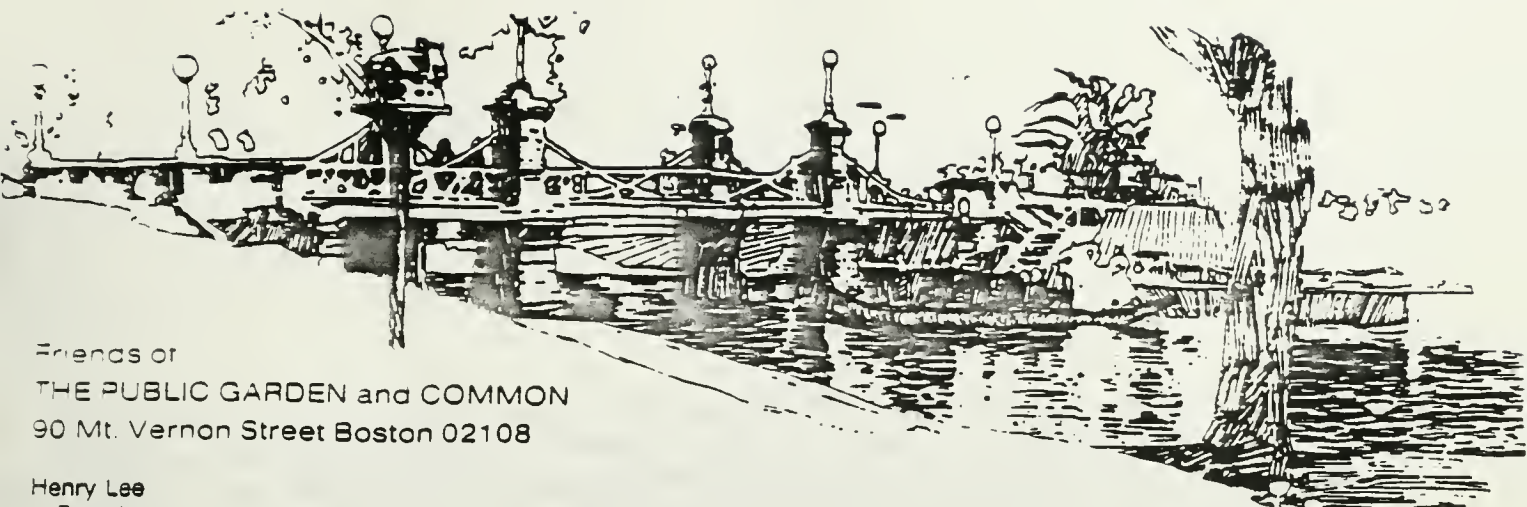
Henry Lee

Directors

China Altman
Eugenie Beal
Dolores Billings
Maria Cole
Marvin Collier
Ronald M. Druker
Edwin I. Firestone
Ronald Lee Fleming
John T. Galvin
Joan E. Goody
Thomas Kershaw
Harriet R. Lewis
Mrs. George M. Lovejoy, Jr.
June McCourt
Mrs. A. McVoy McIntyre
Margo Miller
Barbara W. Moore
Ann Dins Nemrow
Sydney R. Rockefeller
Mrs. Roger A. Saunders
David M. Solomon
Anne C. Swanson
Dana E. Vannasse
Cynthia A. Wall
Richard Wheatland
Richard White
Frederick R.H. Witherby

Honorary Directors

Mrs. Donald C. McKay
Edward A. Weeks



Friends of
THE PUBLIC GARDEN and COMMON
90 Mt. Vernon Street Boston 02108

Henry Lee
President

Mrs. William B. Trafford
Vice-President

Richard G. Scheide
Treasurer

Mrs. John D. Harner
Secretary

Mrs. G. Kennard Wakefield
Ch. Horticultural Committee

Dec. 27, 1988

Mr. Robert S. Farrell, Chairman
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

Dear Mr. Farrell:

We have had now an opportunity to review the ~~redtown~~ Cultural District Plan and submit for your consideration the following comments.

We wish foremost to commend the BRA on the quality of the document and the openness of the planning process. The Plan constitutes a balanced and thoughtful blueprint for the district's renewal, one that in large measure we heartily applaud. We appreciate, too, the many occasions--briefings, meetings, and consultations--afforded community and other concerned groups to discuss and comment on the Plan.

We support continuance of the height limits along Tremont Street next to the Common as set forth in the Plan, and we are grateful for the Board's enforcement of these limits for the developments approved earlier in the year. Although we previously indicated that the Friends had no objection under certain circumstances to some height increase in the property to be developed by Ronald Druker along Bromfield Street, we strongly reaffirm our support for the elimination of the so-called enhancement zones. The opening they offered for the future construction of buildings to heights of 235 feet close to the Common posed a long-term and unmeasurable threat to the park.

We continue, on the other hand, to have serious concerns over the impact on the Common of the towers proposed for the PDA zone along Washington Street. We have not seen as yet sufficiently detailed studies of the shadow and visual effects of these buildings. While the shadow cast on the Common by any single structure will be transient, it is the total or cumulative effect on a given spot that remains troubling. This is especially

Directors

China Altman
Eugenie Beal
Dolores Billings
Maria Cole
Marvin Collier
Ronald M. Druker
Edwin I. Firestone
Ronald Lee Fleming
John T. Galvin
Joan E. Goody
Thomas Kershaw
Harriet R. Lewis
Mrs. George M. Lovejoy, Jr.
June McCourt
Mrs. A. McVoy McIntyre
Margo Miller
Barbara W. Moore
Ann Dins Nemrow
Sydney R. Rockefeller
Mrs. Roger A. Saunders
David M. Solomon
Anne C. Swanson
Dana E. Vannasse
Cynthia A. Wall
Richard Wheatland
Richard White
Frederick R.H. Witherby

Honorary Directors

Mrs. Donald C. McKay
Edward A. Weeks

true for autumn and winter mornings when areas of sunlight are eagerly sought by park users. In addition, we believe the prominence of these towers may obscure the sky line from the Common and damage the park's sense of space and human scale. We already have two ominous examples in 1 Beacon Street and Tremont-on-the-Common. Thus, we need still a maximum build out study and a clearer exposition of both shadows and visual impact.

Studies already reveal that the Commonwealth project will definitely increase the shadows across the Common and form an intimidating presence on its border. We urge, at minimum, that the larger of the two buildings be reduced in height and mass.

Although it is somewhat peripheral to our direct concerns we also urge continued study of the impact of the six highrise buildings on their immediate neighborhood. So much development in so small a space creates natural concern over vehicular access, view corridors, motor and pedestrian traffic, transportation, impact on existing open spaces, and despite proposed building setbacks the effect of wind and shadow on pedestrian life. We especially urge a limit on the floor plate of these buildings where they rise above 155 feet.

We wholly concur with the Authority's efforts to increase and support the performing arts and other cultural offerings but encourage as well continued emphasis on housing at various cost levels. A substantial residential component is, in our view, essential to the district's revitalization and important as well to the future of the Common, which reflects in many ways the company it keeps.

Much attention is given in the Plan to interior space. We urge the BRA to place equal emphasis on pedestrian life. In particular, we find no provision in the Plan for additional open or green space. In an area earmarked for intense development, such spaces would offer valuable squares of respite and would relieve some of the already heavy pressure on the Common. The Hinge-Block for one appears to offer opportunity for space of this nature.

Finally, we strongly urge the elimination of the Common from the Plan. Proposals for amenities and landscaping at the Tremont-Boylston quadrant of the Common, whatever their merit,

should be contained in the Parks Department's master plan. While the Common should have a close and compatible relationship with the district especially its theater section, it is a landmark in itself in which improvements must be considered in the context of the whole park.

As mentioned, we regard the Plan as a fair and well-conceived approach to the revival of the Cultural District, but we must note in caution that the best of plans deal with imponderables and predict the future with human fallibility. The tangible results, however, are often irreversible. It is essential for us to stress, therefore, that whatever their expected benefits the proposed buildings should not impinge upon the historic rights of all the people to enjoy their Common ground. Indeed, as the district develops and its population, working and dwelling, increases, the Common will be all the more important as a vital green outlet. John Bigelow's Guide to Boston in 1842 noted the advantage of the Common as "the unobstructed sight of the heavens above it. Fifty acres of blue sky are there guaranteed against encroachment of brick wall forever." We must try to keep it that way for the generations to come.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Henry Lee", with a stylized flourish at the end.

Henry Lee

Friends of the Public Garden and Common

Summary of Comments

The Friends support renewal of the Midtown District and commend the BRA on the Plan and the openness of the planning process. We support the height limits along Tremont Street, ~~and~~ elimination of the enhancement zones, and the general proposals for additional cultural amenities.

- We urge;
- a) further study of the effects of shadow and scale on the Common;
 - b) reduction in the height and massing of the Commonwealth project;
 - c) deletion from the Plan of proposed improvements to the Common;
 - d) provision in the planning for additional open and green space in the district;
 - e) continued efforts to assure that the district is not overwhelmed by the impacts of six highrise buildings in a two-block area;
 - f) continued attention to the provision of housing.

PALMER & DODGE
ONE BEACON STREET
BOSTON, MASSACHUSETTS 02108
TELEPHONE (617) 573-0100
TELECOPIER (617) 227-4420
TELEX 951104

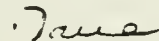
December 6, 1988

Mr. Stephen F. Coyle
Director
Boston Redevelopment Authority
City Hall, 9th Floor
Boston, Massachusetts 02201

Dear Steve:

We appreciate the excellent work that you and your staff have done to clearly articulate the complex zoning amendment for the Midtown Cultural District and to incorporate Boston Crossing within this district. We have discussed with you and Ted Chandler the need for changes to the draft amendment to enable the Boston Crossing project to go forward, including maximum height, street wall height, sky plane setback and required ratio of office space to overall space. It is quite important for this development that the zoning as presented on December 8 be supportive of this project in these and the other areas discussed with you and Ted.

Very truly yours,



David E. Rideout

DER:lp
cc: Mr. Lenard McQuarrie
Mr. Carl Guepel

K. McCormack



12 10 1988

December 7, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall
9th Floor
Boston, MA 02201

Dear Mr. Coyle:

In anticipation of the December 8 public hearing on the Midtown Cultural District Plan, I am sending a letter which presents our position.

We have had the benefit of meetings with Kristen McCormack, Linda Bourque, and Ted Chandler, which led to a greater understanding and appreciation of the vision which the plan represents for an important area of Boston.

We hope there will be opportunities to work with you and your staff to make the Midtown Cultural District a success and to create a comprehensive child care program.

Sincerely,


Irving H. Busny
President

Enclosure



December 6, 1988

Mr. Robert J. Farrell, Chairman
Boston Redevelopment Authority
Boston City Hall, 9th Floor
Boston, MA 02201

Dear Chairman Farrell:

I am writing on behalf of the Building Owners and Managers Association, a division of the Greater Boston Real Estate Board, to address a major issue in the proposed Midtown Cultural District Plan. Our organization would like to be able to support this plan because we see in it a vision for a part of our city which needs attention. Regrettably we cannot support the proposal because it includes a new linkage requirement for real estate development in Boston.

We believe the child care linkage/accessory zoning requirement should be deleted before the plan is adopted.

BOMA wholeheartedly supports child care, and we have the official and financial support of the Greater Boston Real Estate Board for a major task force to address this need in a comprehensive way, one which we hope will serve as a model for others to use.

Through our Private/Public Initiative for Child Care we have brought together a statewide group of experts -- child care providers, educators, employers, employees, building developers, owners and managers, legislators and other public sector officials, parents and other individuals with a professional and personal commitment to this cause.

This group has been working through subcommittees to identify the specific barriers which discourage the availability and affordability of child care. We intend to work in the legislature in 1989 to address issues such as the liability facing employers who would like to provide child care facilities. We are also looking at incentives from the public and private sectors that could make child care more affordable for those who need it.

The extent of our work on the child care issue is described in the attached summary.

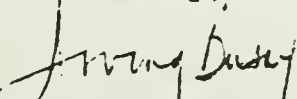
We believe that the adoption of a child care linkage/ accessory zoning amendment in the Midtown Cultural District Plan would detract from this broad-based effort, one that we are committed to continue.

- o The adoption of a child care linkage requirement would create a misleading impression that our child care needs are being addressed. San Francisco is often held up as an example of a city with a child care linkage program, as if that proves a point. The reality is that in San Francisco very little real estate development is happening, and that city's linkage requirement is not producing child care. It is most unfortunate that child care has been tied to real estate development, which as you know is vulnerable to the ups and downs of the business cycle as well as growth controls which come in a myriad of forms.
- o Child care linkage also fails by allowing those not affected by it to feel their participation is not needed. That simply is not the case. Availability of space is a relatively small part of the overall process of developing a child care center, and the participation of a broad base of people is needed. We are not adverse to providing space in buildings which are owned privately or by the public if this contribution is part of a comprehensive child care program.
- o Child care linkage adopted through a zoning requirement is a disservice to those who feel the City already owns property and facilities which should be examined as appropriate sites for child care use, locations which may be more appropriate than certain sites in mid-town Boston which happen to be the focus of real estate development.
- o The premise that real estate development creates the need for child care has not been demonstrated. Without having seen a persuasive study of this connection, or "nexus," we question the legal underpinnings of child care linkage, whether it takes the form of an accessory land use requirement or a financial contribution to a child care center in another location.

- o We believe a location should not be assumed to be suitable for child care simply because it is currently suitable for commercial use or is planned and expected to undergo a transition over time. Transportation of large numbers of small children, attracting well qualified staff to care for the children and operate the center, aggregating funds to make the child care affordable to those who need it, and parental preferences and choices in the best interest of their children are all issues which child care linkage through a zoning requirement does not address.

We respectfully request that the child care linkage/ accessory zoning requirement be deleted from the plan before passage. Our organization would welcome the opportunity to participate with you and your staff to develop a child care program that will work in Boston and throughout the state. We believe this can happen through the Private/Public Initiative for Child Care.

Sincerely,



Irving M. Busny
President

Enclosure

cc: Michael F. Donlan
James K. Flaherty
Clarence J. Jones
Joseph J. Walsh

華埠房屋及土地發展小組

Chinatown Housing and Land Development Task Force

34 OAK STREET
BOSTON, MASSACHUSETTS 02111
617 451-6711

December 7, 1988

Boston Redevelopment Authority
Members of the Board of Directors
Boston City Hall
9th Floor
Boston, MA 02202

Dear Boston Redevelopment Authority Board of Directors:

Although we recognize that the intent of the Midtown/Cultural District Plan is to revitalize the midtown section of Boston through the creation of an active theater district and downtown community, we have serious concerns regarding the ramifications of this plan.

We acknowledge that the kinds of development described in the Midtown/Cultural District Plan will indeed transform the area by serving as an important catalyst for some positive changes. The potential amenities are public infrastructure improvements such as street repair, installation and maintenance of street lights, expediting the elimination of the Combat Zone, rehabilitation of vacant, dilapidated theaters and historic buildings, and the possible creation of jobs and residential units.

However, we wish to go on public record that while these amenities may contribute to a more livable and pleasant urban environment, they are contingent on development which will undermine the strength and diversity of the Chinatown-South Cove community.

Specifically, we are concerned about:

* Total Build-Out, Types of Land Use and Potential Impacts

Although the BRA projects a total buildout of the new developer for the Midtown/Cultural District by the year 2000 as 7 million square feet, which includes office, retail, cultural use, and housing, our research indicates that the total new development will equal 9,893,052 square feet. Sixty-two percent of the new development will be office, 27% retail, 9% housing, 2% arts and theater, and a total new addition of 5,850 parking spaces.

These calculations do not include nearby downtown development or development projections for the Hinge Block which could add 800,000 square feet of office space, 600,000 square feet of housing, 500,000 square feet of hotel and 100,000 square feet of theater/gallery use.

The new Midtown/Cultural District development projects will increase by more than 100% the existing land use of the 20 block area, which now consists of 10 million square feet of mixed use development and 5,834 parking spaces.

The dominance of office tower and upscale retail development in the Midtown/Cultural District raises very serious implications for the long-term vitality and viability of surrounding neighborhoods, particularly Chinatown. In addition to quality of life issues such as traffic impacts, shadow, wind, and density, we are specifically concerned with the threat of gentrification.

From the available Midtown/Cultural District Plan documents, we are unable to get a sense of the environmental impacts of a total build-out scenario. To remedy what we see as a serious omission, we request that an impact study of the total build-out for the Midtown/Cultural District area be conducted. This study should include a socioeconomic impact assessment with specific attention to real estate speculation, residential and commercial displacement, gentrification and changes in employment patterns.

Visual aides of the total build-out scenario should also be prepared for community presentations. We understand that environmental impact studies will eventually be done for individual projects but only through an area-wide study can the cumulative impacts of future development be truly considered.

* Benefits Versus Burdens and Who Is Defining Criteria of Burdens

The Midtown/Cultural District Plan creates incentives for developers to provide certain public benefits -- an arts/cultural facility, daycare or affordable housing -- by granting an allowance or bonus on the density (FAR) of their projects. A premise of the Midtown/Cultural District plan is that a balance of benefits and burdens is achievable and more importantly, a level of burden is acceptable. However, any benefit to be gained is a direct function of the project's burdens on the quality of life and long-term viability of the impacted communities.

To date, communities have not been involved in a meaningful and systematic way to determine the criteria for assessing burdens. Furthermore, we believe that all the constituencies affected by the Midtown/Cultural District such as the arts community, the preservation groups, and local community groups are important and deserving of inclusion in the planning process. We do not want to create or legitimate a development process by which deserving constituencies compete for scarce resources.

* An Important Source of Arts and Culture is the Community

Those who make art and do cultural work believe that "culture" should be defined not only by performances and exhibits but also by the source of the arts - the communities. We value Chinatown as a vibrant and living "cultural district" for Asians as well as others in the Boston area. When communities cease to be viable, the arts will only be "show".

The uses promoted by the Midtown/Cultural District plan are predominantly high-rent office and upscale retail. A newcomer to the area ten years from now may wonder at the designation "Cultural." Furthermore, the Midtown/Cultural District will facilitate the centralization and concentration of arts resources and funding in the downtown area. This will encourage the "corporatization" of the arts and will potentially marginalize and prohibit participation by grassroots arts and cultural groups.

* Accessibility to the Midtown/Cultural District

In light of the type of development typical of the Midtown/Cultural District, we are concerned about the accessibility to this area by the working people in our communities. We believe that the Midtown/Cultural District plan envisions development like the South End's Copley Place, where local residents, mostly employed in low-paying service jobs, can afford little more than a stroll through the mall.

In addition to upscale retail, the 2,500 housing units that will be produced as part of the Midtown/Cultural District will mostly be luxury housing similar to Parkside East and Heritage on the Common. Few current residents will benefit from the addition of such housing. Furthermore, we are concerned about the financial accessibility of arts and cultural activities to downtown residents. The majority of working people can no longer afford to go to a \$6 dollar movie cinema, let alone the price for theater events, concerts, Broadway shows, and similar events envisioned in the Midtown/Cultural District Plan. While these events are valuable for Boston, there should be no mistake about who the benefactors of these opportunities will be -- largely suburbanites who are not asked to bear the burdens imposed by the Midtown/Cultural District.

The Midtown area will indeed be transformed to a vital active downtown community, however, the activities and services cater to the wealthy. Community working people will only be able to access the area through the abundance of low-skill, low pay, service-type employment opportunities.

We believe that the burden of the Midtown/Cultural District plan with regards to its development impacts -- traffic, density, and gentrification -- is too great to be compensated for by any "benefits". In fact, the notion of benefits is illusionary since any benefit implicates greater burden. The Midtown/Cultural District Plan accommodates the expansion of the financial district and its secondary developments at the cost of meaningful community-based development and the creation of an vital, inclusive, arts and cultural district which is accessible to all Boston residents.

We, the undersigned, request that the BRA and City of Boston not issue any building permits for projects within the Midtown/Cultural District boundaries, nor approve the Midtown/Cultural District Plan and zoning regulations until a comprehensive environmental impact study of the total build-out is completed and undergoes extensive community review. Furthermore, the BRA should support a truly inclusive and meaningful planning process by incorporating community concerns and needs in a substantive way.

Chinatown Housing Land Development Task Force

Asian American Resource Workshop

Chinese Progressive Association

Henry Wong

Katherine Wong

Wong Chi, Tai Tung Village resident

Ping C. Lee, Tai Tung Village resident

Tony Lee, Tai Tung Village resident

Sin Wah Lee, Tai Tung Village resident

Macy Lee, Tai Tung Village resident

Ann Moy, Castle Square resident

Yee You King, Castle Square resident

Hing Lai Leung, Mass Pike Towers resident

Mei Yee Leung, Mass Pike Towers resident

Fung Yee Woo, Mass Pike Towers resident

Dr. Reginald Jackson, *Olaleye Communication

Judy Branfman, *Alliance for Cultural Democracy

Robert Chu, *Haymarket People's Fund

Louise Profumo, *Haymarket People's Fund

Hillary Smith, *Haymarket People's Fund

BRA Board
Page 5

Tommy Harris, *Haymarket People's Fund
Linda Hillyer, *Haymarket People's Fund
Pam Rogers, *Haymarket People's Fund
Karen Minott, *Haymarket People's Fund
Richard Reinert, Arts Consultant
Peter Kiang, Sociology Department, UMass/Boston
Angela Giadice, Director, *Multicultural Project
Marie Kennedy, Professor, CPCS, UMass/Boston
Geoff Wilkinson, *Committee for Boston Housing
Cindy Cohen, Director, *Oral History Center
Kristin Metz, *Oral History Center
Beth Enson, *Oral History Center
Nefertiti Burton, *Middle Passage
Ted Thomas, Jr., Director, *Youth Services, City Mission Society
Wen-Ti Tsen, *Alliance for Cultural Democracy
Michael Kane, *Boston Affordable Housing Coalition
Tom Webb, *Coalition for Community Control of Development
Pat Cusick, South End Neighborhood Action Program
Andy Hamilton, Conservation Law Foundation
Pat Libby, *Mass. Assoc. of Community Development Corporations
Robert Sanborn, *Nuestra Comunidad
Marilyn Frankenstein, Assoc. Professor, Applied Math & Languages
UMass/Boston

*Organizational affiliation for identification purposes

cc. Mayor Raymond Flynn
BRA Director Stephen Coyle
Bruce Rossley
Kristen McCormack
Ted Chandler
Ting Fun Yeh
Larry Murray
Boston City Councillors
Senate President William Bulger
State Rep. Sal DiMasi
Boston Globe
Boston Herald



MASSACHUSETTS COALITION FOR THE HOMELESS

December 7, 1988

Board, Boston Redevelopment
Authority
City Hall
Boston, MA 02201

Dear Members of the Board:

I understand that you are currently considering the Midtown Cultural District Plan, and its impact upon current residents of the area, as well as future development.

The Massachusetts Coalition for the Homeless is a private, non-profit statewide advocacy organization which works on behalf of our state's homeless and near-homeless. As many of our state's homeless live in the metropolitan Boston area, the city's policies and plan have a substantial impact on these families and individuals.

We strongly suggest that before any zoning changes or building permits are granted in the Midtown area, you complete a substantial analysis of the impact this Plan will have upon the current stock of low income housing and the current tenants of this housing. We are very concerned that if such an analysis is not completed before changes begin within the district, we will see displacement and homelessness as a result.

The Midtown area contains precious housing stock — such as Single Room Occupancy housing — which cannot be lost. As you know, Boston's scarcity of affordable housing has resulted in more Boston families in shelters and hotels/motels than ever before. Similarly, the lack of adequate numbers of affordable units have left more individuals without any resources other than a cot in an emergency shelter.

I know you join me in resolving that, as shelter is not the solution to homelessness, preserving affordable housing is a top priority. The Massachusetts Coalition for the Homeless urges you to keep this uppermost in your thoughts as you consider the Midtown area. Thank you very much for your consideration and assistance.

Sincerely,

Sue Marsh

Sue Marsh
Executive Director

32 Farnsworth St.



426 WASHINGTON STREET BOSTON MA 02101

JEREMIAH J. SULLIVAN
CHAIRMAN

December 7, 1988

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
1 City Hall Square
Boston, MA

Dear Stephen:

I understand that the concept of "enhancement areas" is under reconsideration for the city's midtown district. The proposed "enhancement area" covers many different properties and as such could be reviewed on a parcel by parcel basis.

The Filene's parcel, I believe, should be allowed to be considered under the terms of the "enhancement area". In order for us to remain competitive with the proposed development around us, we need to have the assurance we will not be denied in the future what others will achieve with the proposed plan.

I would be pleased to discuss any of terms of this request at your pleasure.

Sincerely

A handwritten signature in dark ink, appearing to read "JERRY". The signature is stylized with a large, sweeping initial 'J' and a trailing 'Y'.

QSCC

Quincy School Community Council

品市社區學校民衆委員會

To: Robert L. Farrell, Chairman BRA
From: Quincy School Community Council
Date: 12/8/88
Re: Midtown Cultural District draft Zoning Plan

Quincy School Community Council supports the draft zoning plan for the Midtown Zoning Plan. Childcare, employment and training, housing benefits derived from various projects will help in our community.

However, the QSCC has the following concerns regarding potential impact of this plan on the Chinatown community.

1. access by Chinatown residents to cultural, employment, childcare and business activities developed in this plan,
2. the enviromental effects such as increased traffic, shadow, and wind impacts of development upon Chinatown,
3. the potential gentrification impact on Chinatown by the upscale development envisioned by the plan.

We look forward to continually evaluating, and directly contributing to this planning process.

We have appreciated the ongoing effort and support provided by the BRA in our community.



Bay Village Neighborhood Association, Inc.

December 8, 1988

Robert L. Farrell, Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Dear Mr. Farrell:

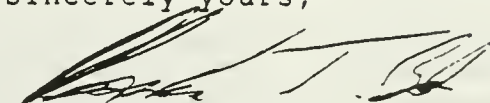
As your Board considers the proposed zoning for the Mid-Town Cultural District, the Bay Village Neighborhood Association would like to express its opposition to one specific part of the plan--the zoning of PDA III at 155' to 300'.

On November 28th, Kristen McCormack, Ted Chandler and Barbara Barrows from the BRA staff made a presentation at our Planning Committee meeting. We expressed at that meeting our strong disapproval of the proposed 350' maximum height for both the C-4 parcel and the Don Bosco parcel. This past Monday, our Executive Committee voted its opposition to those proposed heights and asked that the C-4 parcel be limited to its current height as of right and that the Don Bosco site be limited to the height that has already been discussed instead of suggesting in any way that a much higher proposal would be seriously considered anytime in the future. We are pleased that most recent version of the plan, presented on December 7th, reflects in good faith our concerns regarding the zoning for the Don Bosco site. This is not to say, however, that we are in any way pre-approving the height or design of the proposed Don Bosco development.

With regards to Parcel C-4, the reduction of the maximum allowable height to 300' reflects a good faith effort to work with our neighborhood only if one assumes that a building that tall has any place in this part of the city. Bay Village residents have to live every day with the urban disaster that is the 57 Howard Johnson. A building that could be substantially higher on Parcel C-4 is totally inappropriate. Furthermore, we believe that the first draft of the zoning

released in July envisioned a maximum height on Parcel C-4 of 235'. If the economics of the Mid-Town Cultural District plan are dependent on the benefits derived from a 300' high building, then the plan needs revision. While there are many positive aspects of the plan, including the restoration of Eliot Norton Park, we can not support the proposed height on Parcel C-4. We appreciate your consideration.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Alexander T. Bok', with a stylized flourish at the end.

Alexander T. Bok
Executive Committee Member

ATB/sb



December 8, 1988

Boston Landmarks Commission

City of Boston
The Environment
Department

Boston City Hall/Room 805
Boston, Massachusetts 02201
617/725-3850

Mr. Stephen Coyle
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Coyle and Members of the Board:

The staff of the Boston Landmarks Commission will continue to review the documents prepared for the Mid-town Cultural District Plan and accompanying zoning documents.

The staff supports the overall goals of the plan. It acknowledges the fundamental contribution that Boston's historic resources and character make to the City's economic health. The protection area zones supplement the preservation tools of the Landmarks Commission legislation. There is still concern that as-of-right heights may produce insurmountable pressure on small scale historic building. Scrutiny of the guidelines on additions will be necessary.

Support for restoration of historic theatres and Landmark properties from new construction projects is clearly and appropriately defined.

We look forward to working with the BRA on developing the plan and zoning documents.

Sincerely,

Alan Schwartz
Chairman
Boston Landmarks Commission

TO: TED CHANDLER, BRA

FROM: DONA SOMMERS, CHAIR
MDCTF CULTURAL FACILITIES COMMITTEE

RE: COMMITTEE'S ZONING REVIEW MEETING OF DECEMBER 13, 1988

DATE: DECEMBER 21, 1988

As a follow-up to the Cultural Facilities Committee's recent review of the current zoning document, I have summarized the Committee's suggestions for revisions below. I believe you and I had an opportunity to discuss most of these points in our phone conversation earlier that day. Because of the short time frame, and the importance of several of the issues raised in our recommendations, the Committee would appreciate a written response outlining if (and how) the zoning document can be revised to incorporate our input. If you should have any questions, please give me a call.

PAGE 8-SECTION 38-1: Proposed Change: Change "city's" to "region's" to read, "... region's center for performing and visual arts by rehabilitating historic theaters and creating new cultural facilities for the region's non-profit arts community..." (See December 1st Recommendations.)

PAGE 17-SECTION 38-8 1.: Since former SECTION 38-9, "Enhanced Building Height and FAR for Provision of Affordable Housing or Cultural Facilities" does not appear in the current document, we have lost the language which detailed what constitutes development or substantial rehabilitation of a theatre or cultural facility. The Committee feels that this language is essential, and would, therefore, recommend the following
Proposed Change: Add as (a) under paragraph 1., the language (with suggested modifications) from Para. 1., SECTION 38-14 (page 24). Paragraph 1. would, therefore, read, "Uses Qualifying a Proposed Project for Increased FAR. The Board of Appeal may grant an exception for increased FAR for: (a) the development of a theatre or other cultural facility or for substantial rehabilitation of an existing theatre, provided that (1) the theatre or other cultural facility is of a condition, size and type which contributes to the Cultural Facilities program of the Midtown Cultural District, as identified in the Midtown Cultural District Plan; (2) the proposed project includes sufficient assistance for successful development of a theatre or cultural facility, including, but not limited to, an equipment level commensurate with its anticipated use, ancillary or accessory facilities such as administrative offices, rehearsal/studio space, dressing room/green room space, storage space, or other assistance, as identified in the Midtown Cultural District Plan; and (3) the project provides evidence of a long-term commitment by the Applicant itself or a third party to use of the theatre or cultural facility in accordance with the Midtown Cultural District Plan." (See December 1st & October 14th Recommendations re: specific language.)

PAGE 18-SECT. 38-8 2.: Proposed Change: The Committee would like to recommend that the language be clarified to specify that the initial FAR qualifying uses are the only uses that will be permitted, and that language be added referring to "Forbidden Uses" as used on page 46 para. 7.

PAGE 24-SECT. 38-14 1.: The Committee feels that language clearly specifying what constitutes a cultural facility is essential, and would, therefore, recommend the following Proposed Change: Repeat the language recommended for SECTION 38-8 above. Paragraph 1. would, therefore, read, "Development Plan Approval for Development of New Theatre or Other Cultural Facility. The Boston Redevelopment Authority may approve a Development Plan proposing to develop or to cause the development of a new theatre or cultural facility if (a) the new theatre or other cultural facility is of a condition, size and type which contributes to the Cultural Facilities program of the Midtown Cultural District, as identified in the Midtown Cultural District Plan; and (b) the Development Plan details provision of sufficient assistance for successful development of a theatre or cultural facility, including, but not limited to, an equipment level commensurate with its anticipated use, ancillary or accessory facilities such as administrative offices, rehearsal/studio space, dressing room/green room space, storage space, or other assistance, as identified in the Midtown Cultural District Plan; and (c) the Applicant provides evidence of a long-term commitment by the Applicant itself or a third party to use of the theatre or cultural facility in accordance with the Midtown Cultural District Plan. " (See December 1st and October 14th Recommendations re: specific language.)

PAGE 26 SECT. 38-14 2.: The Committee would like to ensure the timely completion of substantial rehabilitation of an existing theatre, and would, therefore, like to recommend the following Proposed Change: Revise the language in paragraph 2. to require that "As part of the Development Plan application, the Applicant shall provide the Boston Redevelopment Authority assurance, such as but not limited to an agreement which, in the opinion of the Boston Redevelopment Authority, is sufficient basis to warrant its approval of the Development Plan. Such assurance shall provide that substantial rehabilitation of the existing theatre, Landmark, or Historic Building shall be completed to the point of receipt of a certificate of occupancy on or before the date (the "Estimated Completion Date") of the issuance of certificates of occupancy enabling the use and occupancy of 51% of the gross floor area of the Proposed Project. If such construction cannot be so completed, the Applicant shall furnish the Boston Redevelopment Authority on or before the estimated Completion Date with a notice so stating

December 21, 1988

accompanied by a bond, letter of credit, guaranty or other assurance reasonably satisfactory to the Boston Redevelopment Authority (which assurance may be in the form of a direct deposit in such amount to the City or the designee of the City), to cause such construction to be so completed."

In addition, the Committee would like to see this language added to paragraph 1. of SECTION 38-14 to ensure the development of a new theatre or cultural facility in the same manner. (Language would need to be changed to reference development of a new theatre, etc.)

PAGE 58&59 SECT. 38-20 2.: The Committee would like to eliminate the ambiguous reference to "reserving for Cultural Uses" and to modify the language to conform to the language recommended for use in SECTIONS 38-8 and 38-14. The Committee would, therefore, recommend the following Proposed Change: Change the language in paragraph 2. (b) to read, "any Proposed Project on the lot containing a portion or all of the former site of the theatre must replace that theatre with a Cultural Facility of a volume of at least twenty-five (25%), but not to exceed one hundred percent (100%) of the volume of the former theatre, including auditorium, stage house, lobby, and other theatre support facilities. The resulting Theatre or other Cultural Facility must (i) be of a condition, size and type which contributes to the Cultural Facilities program of the Midtown Cultural District, as identified in the Midtown Cultural District Plan; (ii) the Cultural Facility must include sufficient assistance for successful development of a theatre or cultural facility, including, but not limited to, an equipment level commensurate with its anticipated use, ancillary or accessory facilities such as administrative offices, rehearsal/studio space, dressing room/green room space, storage space, or other assistance, as identified in the Midtown Cultural District Plan; and (iii) the Applicant provides evidence of a long-term commitment by the Applicant itself or a third party to use of the theatre or cultural facility in accordance with the Midtown Cultural District Plan." (See December 1st and October 14th Recommendations re: specific language.)

In addition, the Committee would like to see the modified language recommended for use in SECTION 38-14 be incorporated into this SECTION to ensure the development of the replacement theatre or cultural facility. The Committee recommends that in this case the issuance of "a bond, letter of credit, guaranty or other assurance reasonably satisfactory to the Boston Redevelopment

Ted Chandler, BRA

December 21, 1988

Authority (which assurance may be in the form of a direct deposit in such amount to the City or the designee of the City), to cause such construction to be so completed is required at the time a demolition permit is issued. Such assurance shall provide that replacement of the existing theatre shall be completed to the point of receipt of a certificate of occupancy on or before the date (the "Estimated Completion Date") of the issuance of certificates of occupancy enabling the use and occupancy of 51% of the gross floor area of the Proposed Project on the lot containing a portion or all of the former site of the theatre."

cc: ✓ Kristen McCormack, BRA
Catherine Royce, OAH
Larry Murray, MCDTF
Ron Rothman, MCDTF
Bethany Kendall, MCDTF
Warren Smith, MCDTF
Judee Shupe, MCDTF
Dick Concannon, MCDTF
Napoleon Jones-Henderson, MCDTF



Conservation Law Foundation of New England, Inc.

3 Joy Street
Boston, Massachusetts
02108-1497

(617) 742-2540
Fax: (617) 523-8019

COMMENTS OF THE CONSERVATION LAW FOUNDATION
OF NEW ENGLAND, INC. ON THE MIDTOWN CULTURAL
DISTRICT PLAN AND ZONING REGULATIONS

December 8, 1988

The Midtown Cultural District Plan and accompanying Zoning Regulations crystalize ambitious plans for rehabilitation of one of Boston's most important cultural areas. The Conservation Law Foundation of New England, Inc. (CLF) acknowledges the great effort and vision which have gone into creating these documents. If anticipated development proceeds as described in the Plan, the attractiveness of the city as an entertainment center of New England would be enhanced. What the documents do not address, however, is the cumulative impact of potential development within the Cultural District on the rest of the city, particularly with regard to transportation efficiency. This omission constitutes a fatal flaw of the Plan.

Traffic Generation from the District

While it is true that the Plan's bonus incentives and the city's linkage requirements would provide needed housing, rehabilitation of cultural and historic buildings, and day-care/family care, the level of development required to realize these benefits is enormous. Excluding the Hinge Block, proposed

2
Conservation Law Foundation of New England, Inc.

developments in or abutting the District include the following uses:

Office space:	6,979,384 sq. ft.
Retail space:	2,683,668 sq. ft.
Residential:	1030 units
Hotel:	250 rooms

Adopting trip generation formulae used to project vehicle trips for Copley Place and Fan Pier -- which assumed a very downtown-like transit mode share of 60% -- CLF estimated that proposed Midtown developments would generate the following trips:

<u>Proposed Use</u>	<u>Vehicle Trip Generation</u>		
	<u>Daily</u>	<u>AM Peak Hr</u>	<u>PM Peak Hr</u>
Office	20,938	3,559	3,699
Retail	13,150	161	1,100
Residential	3,172	237	309
Hotel	1,250	90	128
TOTAL	38,510	4,047	5,236

These totals must be considered a minimum since the eventual level of development could be even greater.

Local Traffic Impacts

The Midtown Cultural District Plan advances detailed traffic mitigation measures which purport to protect the District and the adjacent Chinatown neighborhood from the potentially severe traffic impacts of the Plan. In fact, there is no way for an outside party to judge whether the mitigation scheme is

sufficient, simply because the traffic impacts themselves are not presented in the Plan. It is not even clear that the BRA or the Boston Transportation Department has actually calculated the traffic impacts or the impact of additional demand on the transit system. In any case, this is a serious omission.

Regional Traffic Impacts

The regional impact of additional traffic from the District is nowhere discussed in the Plan or dealt with in the proposed zoning regulations. Nevertheless, it is accurate to assume that traffic generation on a scale of 40,000 additional vehicle trips per day would constitute a substantial addition to Boston's already overburdened highway system. Indeed, this number is equivalent to the number of round-trips made by commuters every day over the Tobin Bridge.

Many in Boston see the Central Artery depression and the construction of a third harbor tunnel as an outlet for more large-scale growth in the city. In fact, even the outdated traffic projections from the original Artery/Tunnel Environmental Impact Statement (which so underestimated Boston's growth that year 2010 traffic volumes were exceeded in 1985) show that these significant capacity expansions will just handle the current volume of vehicle trips into the city. Most street intersections

improved.

It should be clear, especially to a large planning agency, that Boston can no longer conduct development planning in isolation of regional transportation constraints. Data cited above, as well as other data to be found in CLF's forthcoming report, Gridlock: Facing Boston's Transportation Dilemma, provides persuasive evidence that Boston's growth must be planned from a regional perspective, with new emphasis on transit usage, carpooling, and minimizing vehicle trips. Innovative approaches to reducing the growth in automobile trips must be taken soon if Boston is to avert further erosion of transportation efficiency and maintain its attractive pedestrian qualities. The Midtown Cultural District Plan ignores these extremely important issues.

Encouraging the Use of Transit and Carpools

Admittedly, a full treatment of transportation issues goes beyond the scale of the Plan. However, in order to encourage the use of transit and carpooling, the zoning regulations should include two additional requirements:

- No office building of 50,000 square feet or larger may provide parking in excess of one space per 1200 square feet of gross floor area;
- Employers or building managers are required to establish a Department of Commuter Services, which will publicize and organize carpools and vanpools, provide references to private transit services, and sell passes for MBTA services and private transit services.

In suggesting these amendments, it is not CLF's intention to

discourage development by adopting standards which are impossible to meet. In fact, these amendments simply mimic the existing commuter services program of the John Hancock Insurance Company. This unique but simple program has produced the greatest concentration of carpooling/vanpooling in the entire Boston region. Of 5,700 Hancock employees housed in the John Hancock Office Building, only 413 currently drive to work alone. Parking spaces used by carpools (two or more occupants) total 1,140. Private vanpool services use 33 spaces. The use of parking spaces for single-occupancy vehicles costs \$52.00/month, while carpool spaces rent for \$42.00/month. There is no reason similar programs cannot be created all over the city, and the rezoning of the Midtown area represents an opportunity to begin making such sensible measures mandatory.

In summary, the Midtown Cultural District Plan and Zoning Regulations are thoughtful and contain many benefits for the metropolitan area. The documents fall short in failing to document anticipated transportation impacts, both on the local and regional scale. This rezoning effort also fails to meet head-on Boston's growing problem of transportation inefficiency; the zoning regulations should be amended to limit parking and to require programs for encouraging transit use and carpooling.



7 December 1988

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Dear Mr. Coyle:

At a meeting on 30 November 1988 members of the Boston Public Art Task Force voted unanimously to submit a written recommendation to you that opportunities for the incorporation of public art be specifically mandated in the zoning document for the Midtown Cultural District.

I understand that language has now been incorporated into the zoning document, and speaking on behalf of the members of the Task Force I wish to tell you how much we appreciate the inclusion of public art as a major consideration. The Task Force supports the Midtown Cultural District Plan and we look forward to working with you in defining the details for specific regulations for implementation of a public art policy for the District. We understand that these will be incorporated into the Midtown Cultural District Planning Document.

Please let me know if I can be of assistance in further defining the relationship between the Boston Public Art Task Force and the Midtown Cultural District Plan.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Pamela Worden", written over a horizontal line.

Pamela Worden
Chair, Boston Public Art Task Force
PRESIDENT, URBANARTS, Inc.

cc: Napoleon Jones-Henderson
Larry Murray

PO. Box 1658 Boston, Massachusetts 02205

Telephone: (617) 262 2246

BSA

December 8, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: Midtown Cultural District - Zoning Regulations
BSA Focus Team Comment

Dear Mr. Coyle,

The Boston Society of Architects applauds the Authority's creation of the Midtown Cultural District and is in general agreement with the goals of the proposed new zoning regulations. We will comment on specific elements when the Focus Team has had adequate time to review them in a considered manner. We believe that we will be able to resolve the outstanding design issues working with BRA staff during the comment period.

1. Design Issues

As planners and urban designers, the BSA has devoted the majority of its attention to evaluating the physical and programmatic aspects of the regulations. A separate letter, listing our concerns which deal principally with emphasis on the theaters, building spacing and massing, and a defined open-space plan, will be forwarded in the next few days.

2. Process

It is well to have the comment period extended to the end of the year. December 30, however, is still tight for thoughtful response to the materials received yesterday. The difficulties of volunteer organizations being able to respond in the holiday season are obvious.

The BSA has appreciated the diligence of the BRA staff in working with the Focus Team in regular meetings, walking tours, providing background materials and generally in providing an atmosphere for a collaborative and creative effort.

BSA

page 2
12-08-88

3. Imperative Need for Public Design Review

We are concerned that the work of our committee has been carried out without the benefit of a greater understanding of city-wide design issues. As a result, our views are somewhat parochial and limited to the MCD itself. The City would be better served if there was a consistent, empowered, highest caliber public design review body rather than these ad hoc efforts.

The unfulfilled mission is not only to guard against design which is merely banal, but, more importantly, to champion the extraordinary. We urge the Authority to push realization of the Boston Civic Design Commission (BCDC) to the fullest. If the law cannot be interpreted so that the proposed structure is ethical legally, (a problem facing all such public bodies), an alternative mechanism must be found. The BSA welcomes your new initiatives in the BCDC matter, and stands ready to help make it a reality.

Very truly yours,



BSA Focus Team on the Midtown Cultural District
Todd Lee, AIA, Chair

with

Anne Beha, AIA
Mike Bernard, AIA
Felicia Clark, AICP
Oliver Gillam, AIA
Patrick Hickox, AIA
Jim McNeely, AIA
Jim McQueen, AIA
Elizabeth Padjen, AIA
Terry Rankin, FAIA

cc. Peter Forbes, FAIA - President
Martha Lampkin, AIA -
Commissioner of Design, BSA
Richard Fitzgerald -
Executive Director, BSA

bjs/L81208TL.BSA

BSA

December 8, 1988

Committee

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: BSA Focus Team Comment — Midtown Cultural District
Specific Issues

Dear Mr. Coyle,

To accompany yesterday's formal letter of support to the Authority Board, we numerate below the major points which have been the subject of debate and concern during our review:

1. Re-emphasize the focus on theatres and entertainment aspects of the district and its historic buildings.
2. An open space and circulation plan is required to identify the fine grain of small blocks characteristic of our city.
3. Mandate modest floor plates at upper elevations (approx. 15,000 sq. ft.) to enliven the skyline.
4. Develop a formula which maintains space between tall buildings.
5. Promote an active street edge of cultural and retail (as opposed to institutional and "blind" uses).
6. Preserve, and even regain, sunlight on heavily traveled streets and open space. Ensure reflected light from building faces into shadowed areas. Trade PDA-created shadows for small, open spaces which produce sun-pockets.
7. Provide appropriate guarantees and incentives for historic preservation and reuse.
8. Balance the level of development to achieve a vibrant downtown district.
9. Promote vitality and distinction of design in buildings, streetscape, urban fabric.
10. Promote the "ensemble" notion. Enhance the special character of different parts of town, i.e. definable "quarters".
11. Refine specific design controls: show windows, building materials, signage, etc.
12. Continue the dialogue on height, bulk (FAR), form, setbacks, rooftops, streetwalls, mechanicals, etc.
13. Hinge Block design: too critical to be left to market forces. Is Special District the mechanism for ERA to set its own design guidelines? BTA's earlier study had good open space implications.



January 6, 1989

Mr. Robert L. Farrell, Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02201

Re: BSA Focus Team Comment - Midtown Cultural District
~~Review Period Comment~~

Dear Chairman Farrell,

The Boston Society of Architects broadly supports both the process and general code Amendment (Section 38) embodied in the downtown zoning received on December 14, 1988 and in the Cultural District Plan issued earlier last fall (the Blue Book).

A. PROCESS

The process of community input in the drafting of this legislation has been exemplary, as has been the responsiveness of ERA staff. In our particular area of urban design and city planning, the BSA has had the opportunity to evaluate the goals, test the concepts, help in drafting some of the development rules and in particular, participate in promulgating innovative legislation. We are glad to have been party to these deliberations.

Further, in regard to the process, we believe that reserving the Hinge Block as a special study area is a technique of merit. We share the ERA's belief that it is important to allow the bulk of the Amendment to be enacted expeditiously, while allowing the depth of study appropriate to this particularly sensitive area.

B. LEGISLATION

In general, the BSA supports the Amendment as drafted. Our comments are organized below into issues for which our support is unconditional, those in which further discussion is required and hence no formal position has been taken, and those in which we offer alternative recommendations to those in the Amendment as drafted.

I. Unconditional Support

1. The goals of balanced growth is most important to the overall health of the city.
2. Both the As-of-Right and PDA zones, as located in the December 14 map, support the goal.



page 2
Farrell
1/6/89

3. In general, we concur with the provisions of the PDAs as to height, FAR, and dimension.
4. We applaud the re-emphasis on theaters and historic reuse. Essential is that commercial development regenerates theaters and their support space, and housing carries its own diversified mix. We agree with the priority given to theaters in this particular area.
5. We strongly support the program requirements for active street fronts as well as entertainment and cultural uses. In particular, no office uses, including those of community organizations and day care, should be permitted on the major street fronts but should be accessible only from within buildings.
6. The fine grain of the street pattern characteristic of our city, maintaining the network and the passageways which enhance pedestrian movement are well-defined in 38-16.6 (H). The "re-creation" of the pedestrian network lost in post-WWII development is an admirable and essential goal. (For example, trading the recent Avenue de LaFayette for a major, active, 24-hour accessible, and skylit pedestrian way reconnecting Washington Street with the Financial District is first rate, if these attributes are assured.)
7. The mechanism of protection areas, and the emphasis on that diversity in separate quarters of our town which is so characteristic of its rich heritage, is exemplary. The District Design Guidelines, especially the Special Facade Considerations (38-19.2), are most useful.
8. The specific design requirements (38-18) are in general first rate and follow from the goals. We believe the requirements are supportive of a context and scale appropriate to the neighborhood. (Specific notes suggesting alternatives are found below.)
9. The need for adequate assurance that historic and new theaters will indeed be produced is identified. The requirement for a bond (or equivalent assurance) to be certain that renovations and production of these facilities is carried out, may not be adequate, and we would seek stronger guarantees.



page 3
Farrell
1/6/89

10. Show (display) windows and similar fine grain considerations are appropriately integral to the BRA's design review process.
11. Setbacks - We applaud the variety which should result from allowing penetration to within 15 ft above the street wall at 90 ft, as long as the 35 ft setback average is maintained.

II. Continuing Discussion

The items listed below require further study. The BSA is not satisfied they have been adequately addressed. Although the discussion to date have been fruitful, we seek resolution along the lines suggested before the Amendment is finalized.

1. Open Space Plan - Although it is referred to in the Executive Summary, no Open Space Plan is formally incorporated into the Amendment. We believe this is particularly important so that an expanded list of possible program improvements becomes an active part of the planning tools. The open space proposals (such as that by BTA) shown in the "Blue Book" would benefit from further development, as well as formal acceptance.
2. Shadow studies - We believe these require further definition and a more detailed set of maps and criteria. In particular, provide noontime winter sun on particularly critical areas, demonstrably the entire length of Washington Street during the noontime shopping hour. The development of the concept of "fast shadows" (being those cast by a slender tower) which has only brief time impacts might be developed.
3. Skyline Plan - The language and notions as discussed on pages 7-11 in the Blue Book might be expanded upon. The Amendment citation is not strong enough. It is important especially to develop stronger language about overlap and slender towers. The clustering concept appears to us to be a good one.



page 4
Farrell
1/6/89

III. Alternative Recommendations

Within the context of our general support, the BSA does have these specific disagreements with the Amendment as drafted, and would encourage revision to incorporate them.

1. Space between buildings - The inclusion of a formula in defining this idea is a breakthrough. We recommend increasing the space between towers to one point five (1.5) times the aggregate diagonal width of the towers, above the street wall height, which should provide adequate sense of sky, rather than solid wall.
2. Maximum floor size - We believe that floor sizes above 155 ft should be in the range of 15,000-20,000 sq ft. since substantially larger floor plates are available on lower floors. We strongly support the averaging idea since it gives increased - not higher - support flexibility in design, but would set the average at 20,000 sf (twenty thousand).
3. Height - Although there has been a good deal of discussion on the issue, our Focus Team is of the opinion that modest increases in height should be allowed, above the currently set limits, as a trade-off for increasing slenderness of the towers. It is not absolute height, but rather slenderness and elegance of proportions, which are perceived both from the adjacent street and the long view.
4. Shadow - We are deeply concerned that heavy shadow will be produced by the build out allowed. We would trade PDA-induced heavy shadow for open spaces providing winter sunlight if only for brief periods, especially at midday. Further, we would encourage designs which permit sunlight to reach adjacent facades which would then bounce reflected light into areas of deep and permanent shadow.
5. Design innovation - Vitality and innovation have been the hallmark of Boston design throughout its many historical building periods. The Amendment runs the risk now of being "too polite". We caution that the guidelines, as drafted, can be interpreted to stultify and hamper design innovation. The ERA must be sure that the remarkable and unexpected is not made impossible by trying to cure the merely banal and inept.



page 5
Farrell
1/6/89

IV. Total Disagreement

Through the review process and close working with ERA staff we have been able to resolve all areas in which fundamental disagreement has previously existed.

V. BCDC - Boston Civic Design Commission

The BSA gives its strongest endorsement to the provisions of 38-16.7 which require that the BCDC review all PDA submissions. We strongly support the ERA in its renewed efforts to make the BCDC a reality and reconfirm our commitment to enactment of the new enabling legislation.

The BSA Midtown Cultural District Focus Team looks forward to working further with ERA staff in resolving and developing those areas of particular concern which are still outstanding. The Authority is to be congratulated for the breadth and innovation of this Amendment.

Very truly yours,

A handwritten signature in black ink, appearing to read "Todd Lee", with a long horizontal flourish extending to the right.

Todd Lee, AIA
Chair

with
Ann Beha, AIA
Michael M. Bernard, APA
Felicia R. Clark, AICP
Oliver Gillham, AIA
Patrick Hickox, AIA
James McNeely, AIA
James McQueen, AIA
Elizabeth Padjen, AIA
G.W. Terry Rankine, FAIA

cc: Stephen Coyle, Director

thp\L90106TL.MCD

 Action for Boston
Community Development
Inc. 178 TREMONT STREET, BOSTON, MASSACHUSETTS 02111
TELEPHONE: AREA CODE (617) 357-6000

December 22, 1988

Robert Farrell, Chairman
Stephen Coyle, Executive Director
Boston Redevelopment Authority
City Hall 9th Floor
Boston, MA 02201

RE: Proposed Mid-Town Cultural District Zoning Plan

Dear Mr. Farrell and Mr. Coyle:

As the City's largest community service provider and as owner of the property located at 178 Tremont Street, Action for Boston Community Development, Inc., ("ABCD") has followed with interest the proposals for the creation of the Mid-Town Cultural District and the drafting of amendments to the Boston Zoning Code in this regard.

ABCD has owned its headquarters building at 178 Tremont Street for over 10 years and has carried on its numerous community services at this address and close by for 26 years. Most recently, a significant part of the building has been used for ABCD's job training and higher education programs. To maintain its neutral character, with reference to the Boston neighborhoods which it serves, ABCD must be situated in Downtown Boston, in a location which is affordable and accessible to its service population and to the governmental authorities which provide the majority of its funding.

ABCD has its roots in the urban renewal of the sixties when a strong community action agency was found indispensable in Boston's redevelopment process. Since its inception, ABCD has

Robert Farrell, Chairman
Stephen Coyle, Executive Director
Boston Redevelopment Authority
December 22, 1988
Page 2

been active in improving the lives of urban low income people in Boston's neighborhoods and in integrating low income people into the mainstream of the life of the city. ABCD's activities have continued to grow and change in response to the needs of the people it serves. As a result, its activities today have increased dramatically from those it originally undertook at the beginning of the era of the War on Poverty.

ABCD is the official antipoverty agency of Boston, as mandated by city, state and federal authorities. In the course of a year over 100,000 individuals and families partake of ABCD's services. ABCD and its neighborhood affiliates employ hundreds of Boston's residents. ABCD serves Boston's low-income residents through the 178 Tremont Street central office and through a decentralized, neighborhood-based, city-wide network of over sixty neighborhood affiliated agencies. These include Area Planning Action Councils, Neighborhood Service Centers, Head Start Centers, and many other neighborhood-based delegate community agencies. ABCD programs include Foster Grandparents; the Center for Jobs, Education, and Career Training providing extensive literacy, education, and skilled job-training programs for youth and adults; Head Start and Day Care; Health Services/Family Planning; Community Services; Elder Services, Housing Services; Fuel Assistance; Weatherization; Surplus Food Distribution; Disabled Youth Program; consumer services; advocacy; and the collaborative Urban College Program jointly administered with Bunker Hill and Roxbury Community Colleges, University of Massachusetts and Lesley College offering accredited courses the at 178 Tremont Street headquarters leading to Associate, Bachelors, and Masters degrees.

ABCD's ongoing programs share many of the objectives of the public benefits component of the Mid-Town Cultural District plan. Jobs linkage is a good example. Job training, literacy, English as a Second Language and other job support services are essential if low income residents of the neighborhoods of the City are to have access to the jobs generated by the Mid-Town Cultural District development. ABCD, working with other agencies, particularly in the adjacent Chinese and Asian communities, can build on its current services in its 178 Tremont Street Center for the Jobs, Education and Career Training to develop a program to serve the varied populations of Boston. Thus, ABCD provides a vehicle whereby the benefits of downtown development may be shared with all neighborhoods of the city.

Robert Farrell, Chairman
Stephen Coyle, Executive Director
Boston Redevelopment Authority
December 22, 1988
Page 3

The 178 Tremont Street building is the hub of ABCD's network. It is the place where ABCD's constituents come together for governance, planning, administration and for direct services. Its location provides a multicultural, multiethnic common ground which is inviting for persons from all neighborhoods of the City. In addition to agency administration, the building is used day and evening for community meetings, public forums and for educational programs ranging from adult literacy to higher education. If the ABCD network is to be successful in meeting the needs of its constituency it must be permitted to grow in response to those needs. The 178 Tremont Street hub must not be cut off from or hampered in its ability to interact with its constituency, and must also be accorded the ability to grow.

In reviewing the draft zoning plan for the Mid-Town Cultural District, ABCD has noted the effort of the City to recognize the importance of cultural institutions to the City of Boston. Article 38 as drafted by the Authority provides developers in the District incentives to include space for cultural facilities for the City's non-profit arts community. We have also noted and we applaud the Authority's efforts to support the development of affordable housing in the District.

Just as cultural facilities and affordable housing are necessary and desirable uses to encourage in the Mid-Town Cultural District, ABCD wishes to see similar support given in Article 38 for the development of and inclusion of community service space within the District, for these community services are equally important to the well being of the city and its residents. The Authority has taken a step in this direction by providing incentives in §38-8 of Article 38 by excluding from floor area ratio requirements ground floor space devoted to certain uses including community service organizations. However, organizations such as ABCD, which are already located in the district and serving a recognized public function must be able to continue to function and to grow within the district to meet the needs of their constituents. In anticipation of ABCD's need for additional space in which to meet its constituent needs, ABCD suggests that additional incentives be included in Article 38 for the provision of space for community service organizations, especially those serving Boston's low income residents.

Article 38 indicates that ABCD's building at 178 Tremont Street is within a Protection Area. Protection Areas impose height and density limitations for the purpose of ensuring that structures in sensitive areas such as areas which face the Boston Common have no adverse impact upon the Common or other

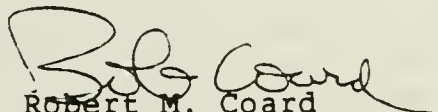
Robert Farrell, Chairman
Stephen Coyle, Executive Director
Boston Redevelopment Authority
December 22, 1988
Page 4

critical areas of concern. While we recognize the public benefits of a Protection Area along Tremont Street, by imposing these height and density restrictions upon ABCD, ABCD will be precluded from meeting its need for expansion space at its present location. Without the ability to expand at its present location, ABCD must both find other locations proximate to its current location in which to expand as well as seek some way of recouplements for the development rights it has lost.

As the planning process proceeds, we urge the authority and the city to be mindful of the additional impacts that Mid Town Cultural District Development may have on ABCD's operation. The process should not allow for the creation of an environment which is hostile to ABCD's constituents and to its programs. For a concrete example, ABCD needs to be assured of continued access for vehicles which must travel to and from its 60 neighborhood affiliates. Cars must be able to park nearby at a reasonable cost so that neighborhood people may attend community meetings and the like. Less obvious but equally important, the Plan must not create an ambience which will establish a barrier for ABCD's constituents - Boston's low-income residents.

With the assistance of the Boston Redevelopment Authority, ABCD looks forward to working with all interested parties in a collaborative effort to adopt these comments and proposals in the final version of the Mid-Town Cultural District Zoning Plan.

Very truly yours,


Robert M. Coard
Executive Director

RMC/bs

cc: Kristen McCormack

KBJLB:274
78-27

BOSTON EDISON
Executive Offices
800 Boylston Street
Boston, Massachusetts 02199

Thomas J. May
Senior Vice President

December 22, 1988

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall
Room 925
Boston, MA 02201

Dear Mr. Coyle:

Re: Proposed Midtown Cultural District Zoning Plan ("Proposed Plan")

The purpose of this letter is to comment on, and ask the BRA's further consideration of, one specific aspect of the Proposed Plan which will have a substantial detrimental effect upon the Boston Edison parcel of land situated along the corridor between South Station and lower Washington Street at Avenue de Lafayette and Bedford, Kingston and Chauncy Streets.

Boston Edison, as a long-standing and concerned citizen of Boston, is strongly in favor of the revitalization of the Midtown District and wholeheartedly endorses the Proposed Plan's integration of private investment and economic return with balanced growth, and the requirements of the City and the neighboring communities for housing, child care and cultural enhancement.

Our specific comment on the Proposed Plan is that, without explanation, the Edison land has been removed from a planned development area designation -- a designation which it has held throughout the planning process for the rezoning of the Midtown District and which would allow diversified development of this land. Now, under the Proposed Plan, the Edison land has been placed in the Midtown Cultural zoning district which is substantially more restrictive.

Under the provisions of the Downtown Interim Planning Overlay District (Article 27D of the Boston Zoning Code, adopted by the Zoning Commission on September 21, 1987 and effective as of September 25, 1987), the Edison land was included in Economic Development Area Subdistrict O. The BRA described the planning goals and objectives for the Economic Development subdistricts in its accompanying document entitled, A Plan To Manage Growth, as follows:

"...to channel growth to underutilized areas with good access to roads, subways and rail lines, and existing utility services."

Mr. Stephen Coyle, Director
December 22, 1988
Page 2

Under the provisions of proposed Article 38 (as published in early July, 1988), the Edison land was again included in a planned development area; namely, MPDA-II. In the accompanying booklet entitled, A Framework for Discussion, the BRA described MPDA-II as follows:

"In particular, large mixed-use developments will be allowed on the corridor stretching from South Station to lower Washington Street. This corridor is near the Red Line's South Station and Downtown Crossing stops; the Green Line's Boylston Street Station; and the Orange Line's Chinatown and Downtown Crossing Stations. The corridor is also within easy walking distance of South Station's commuter rail and bus facilities and is connected by the Orange Line to the Back Bay commuter rail station."

The Edison land, situated as it is in the corridor between South Station and lower Washington Street, is a strong and appropriate candidate for diversified development.

However, under the provisions of the recently proposed Article 38 (as published in early December 1988), the Edison land would be entirely excluded from the revised MPDA-II, now PDA II.

In addition to its designation throughout the planning process for the Midtown district rezoning as a parcel for diversified development, the Edison land has been the subject of ongoing development discussions between Boston Edison and the BRA. As a result of these designations and discussions, the company invested substantial dollars in foundations consistent with future development potential.

Initial discussions with the BRA began in 1973 in connection with Boston Edison's proposed construction of the first substation. At the request of the BRA, Boston Edison agreed to revise its plans and relocate the substation in order to accommodate the proposed Lafayette Place development. Boston Edison also agreed to include in the design of the substation six concrete caissons which were exclusively intended to bear the weight of the six-story parking garage to be built above the substation to serve Lafayette Place. This plan was abandoned when the garage was constructed beneath Lafayette Place -- although the caissons had in fact already been installed by Edison.

In 1985, Boston Edison submitted to the BRA a layout for the construction of a second substation on the land. At that time the BRA requested that Boston Edison again revise its plans and locate the second substation on a nearby parcel of land on the corner of Lincoln and Essex Streets. Boston Edison acquiesced and revised its plans only to be informed by the BRA that the parcel was no longer available. Thereafter, plans for the second substation were resubmitted to the BRA and, at the request of the BRA, were further

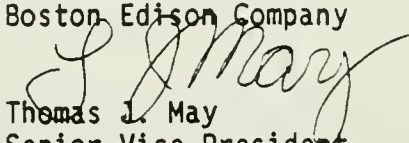
Mr. Stephen Coyle, Director
December 22, 1988
Page 3

revised designing the second substation over the first substation. During review of these plans, Boston Edison discussed with the BRA its plans for construction of six additional stories above the substations and construction of a 300 foot to 400 foot high office tower on the remaining adjacent, vacant land. The structural design of the second substation, which was approved by the BRA and which is currently being constructed, specifically contemplates future construction of such a tower.

Boston Edison submits that the Edison land should be included in PDA II for the following reasons: (1) it has long been considered by the BRA as an appropriate parcel for diversified development and such diversified development is consistent with our prior discussions with the BRA; (2) it permits air-rights development to provide a use in addition to substations; (3) it allows the owner of the parcel to take full advantage of the current placement of the two substations and the investment made in the foundations; and (4) it is immediately adjacent to PDA II and lies along the South Station/lower Washington Street corridor with superior transportation access. Accordingly, we respectfully request that you reconsider the current proposed designation of the Edison land and place it within PDA II.

Sincerely,

Boston Edison Company


Thomas J. May
Senior Vice President

xc: Messrs. Robert L. Farrell, Chairman
Joseph J. Walsh, Vice-Chairman
James K. Flaherty, Treasurer
Clarence J. Jones, Vice-Treasurer
Michael F. Donlan, Vice-Chairman Sub-Committees
Kane Simonian, Secretary



LIBRARY OF THE BOSTON ATHENÆUM

RODNEY ARMSTRONG, *Director and Librarian*

10½ Beacon Street, Boston, Massachusetts 02108-3777

December 29, 1988

Mr. Stephen Coyle, Director
Mr. Robert Farrell, Chairman
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Coyle and Mr. Farrell:

On behalf of the Officers and Trustees of the Boston Athenæum, I, as Director and Librarian, wish to submit the following statement to the Boston Redevelopment Authority with regard to the Midtown Cultural District Plan and Zoning Regulations.

As a National Historic Landmark located at 10 1/2 Beacon Street and an abutter to the historic Granary Burying Ground, the Boston Athenæum is always concerned about any changes and new developments in this area of the city. This institution has made every effort to keep abreast of current and future developments along Tremont Street which will have a direct bearing upon the immediate neighborhood. We have joined with others in expressing concerns about such changes and did so recently with regard to the proposed redevelopment of 110-120 Tremont Street.

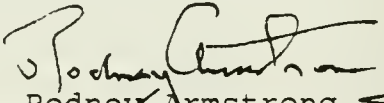
Those concerns pertained to any changes to existing historic structures and also addressed designs for any new structures proposed for these locations. In the case of 110-120 Tremont Street our primary concern was and continues to be for the effect of any change to the sites upon the Granary Burying Ground and the surrounding Tremont Street neighborhood. This institution has made known its concerns about increased shadows on the Granary Burying Ground which might be caused by taller structures on these sites, shadow studies notwithstanding, and about the general walling-in of such open public spaces in any historic area of the city. Additionally we are concerned about what effect taller structures would have on the wind tunnel factor, already a serious problem in this neighborhood.

Our Trustees chose to address these issues not only with regard to the immediate neighborhood but because of the prospect of further and inevitable Tremont Street development which would have a direct bearing upon the Boston Common. As the oldest public park in the United States and Boston's most significant public greenspace, the Boston Common is centrally

located within the city and continues to define a historical and aesthetic focus for citizens and visitors alike. These characteristics should be rigorously preserved. As with the Granary Burying Ground and other similar greenspaces, it is essential that the quality of unobstructed space of the Common be retained; it must remain without encroachments which will wall-in, intrude upon and be unsympathetic to one of this city's most important landmarks.

The Athenaeum welcomes and is encouraged by the Midtown Cultural District Plan and Zoning Regulations and supports its overall design to manage growth in this part of the city. We strongly approve of the Plan's attention to historic preservation and any regulations which will ensure that any new construction adjacent to the Boston Common will be limited and appropriate in height and sympathetic to the historic character and integrity of this area of the city. We are, however, very concerned about the overall shadowing of this open space due to the construction of new towers, more massive in scale, which while not directly adjacent to the Common, but set back, would be built to higher limits.

While we wish to express our support of the Midtown Cultural District Plan and Zoning Regulations and the efforts of the Boston Redevelopment Authority toward bringing about the management of inevitable future growth and development of this part of the city, we also urge you, in your decision making process, to give the preservation of the Boston Common and its immediate neighborhood a priority of the very highest degree.


Rodney Armstrong
Director and Librarian

Notter Finegold + Alexander Inc

December 29, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Architects and
Preservation Planners
Boston MA
Washington DC

Attn: The Zoning Commission

Dear Sirs:

With reference to the proposed addition of Article 38 to the Boston Zoning Code, we make the following comments with specific reference to existing historic buildings. If, as we believe, there is a strong desire to retain the maximum amount of existing buildings of special historic merit in the downtown area, we find several particular restrictions in the proposed article to be counter productive to this goal.

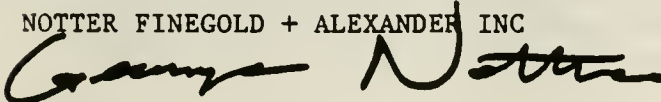
The most obvious means to assure the continued economic value of these fine old buildings is to maximize the developable areas without impairing the distinctive historical and architectural character of the building. There are two general approaches that have the most potential for success in this regard: the creation of existing "found" space within the current structure and the addition of modest rooftop additions of one to three stories. Both of these approaches are severely penalized within the present proposal.

1. The limitation of 125 feet as a maximum building height with rooftop additions capped at 65 feet should not be relevant to existing buildings; particularly those of special historic significance. Since the buildings exist as right they should be allowed modest rooftop additions, consistent with their historic character, to enable their continued economic viability.
2. The maximum FAR restrictions should not apply to buildings already existing. Interior FAR additions that enhance their economic viability and make no visible impact on their historic facade or neighborhood should be a matter of right.

We appreciate your consideration of these issues.

Very truly yours,

NOTTER FINEGOLD + ALEXANDER INC


George M. Notter, Jr., FAIA
Chairman

cc: Kristen McCormack

77 North Washington Street
Boston MA 02114-2101

617 227 9272

COMMONWEALTH CENTER

A Joint Venture of F.D. Rich of Boston and A.W. Perry

99 Summer Street

Boston MA 02110

617-737-8300

December 30, 1988

Mr. Robert L. Farrell
Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02108

Dear Mr. Farrell:

As developers of Commonwealth Center, A.W. Perry and F.D. Rich of Boston recommend adoption of the Midtown Cultural District Zoning Plan. Our proposed development is in substantial accord with the Midtown Cultural District Zoning Plan with a few technical amendments. With adoption of this Zoning and amendments, we believe that the Commonwealth Center project will provide significant public benefits to the City of Boston and the Midtown Cultural District. We feel that Commonwealth Center provides the critical catalyst needed to make the Midtown Cultural District Plan a reality.

Commonwealth Center provides an impressive and creative approach to balancing the needs of a diverse constituency within the District. It promotes housing, while preserving significant historic buildings and street patterns. It creates new cultural facilities and protects the Boston Common. It extends the Downtown Crossing and links the Back Bay and Financial Districts. It provides for childcare and respects the needs and concerns of local residents. It recognizes the City's need to accommodate balanced growth and the District's need for revitalization through development. It truly balances the needs of all the District's constituencies (see TAB 1 - Commonwealth Center Public Benefits Plan).

As active participants in the revitalization of this important area of the City, we have worked for almost two years with the local community and civic interest groups to evolve a masterplan for Commonwealth Center which is sensitive to community concerns, fulfills the goals of the Midtown Cultural District Plan and which will be the

Mr. Robert L. Farrell
December 30, 1988
Page Two

physical and economic cornerstone of the new District (see TAB 2 - Summary of Commonwealth Center Meetings). This masterplan embodies the visions of many parties, from local artists and performing arts organizations to historic preservation groups, Friends of the Boston Common, local businesses and merchants, and area residents (see TAB 7 - Commonwealth Center Plan).

Through this lengthy community outreach process and numerous meetings with City agencies we have evolved a development which meets the broad spectrum of objectives represented by these diverse interest groups. The proposed development is in substantial accord with the proposed Midtown Cultural District Zoning Plan that has been shaped by these many interests. Commonwealth Center complies with the allowable guidelines for building heights, building density (FAR), land uses, the provision of housing and jobs linkage funds, the inclusion of childcare facilities and public benefits criteria including development of cultural facilities, rehabilitation of a Landmark and the provision of maintenance funds for the Boston Common.

Commonwealth Center is designed to meet the overall urban design and historic preservation objectives of the Midtown Plan. In order to achieve these objectives and accommodate the mixed-use program of offices, retail space and hotel rooms we must request several technical amendments to the Midtown Zoning Plan. Detailed in TAB 3 are the Commonwealth Center zoning envelope requirements, the current provisions in the Draft Midtown Zoning and the specific technical amendments requested. The key issues are:

- 1) Allowing larger floor plates (still smaller than those found in the old John Hancock Building),
- 2) Higher street wall heights similar to historic structures on and adjacent to the site including the Avery Hotel, 600 Washington Street and buildings along Tremont Street,
- 3) Less restrictive building setback guidelines to allow for more variation in building design on large sites which can still meet the overall urban design objectives,
- 4) Measurement of shadow impacts according to widely accepted procedures starting at 9 AM between March 21 and September 21 and use of the original map of Shadow Impact Areas which did not include Washington Street, and

Mr. Robert L. Farrell
December 30, 1988
Page Three

- 5) Creation of a cultural facility in the Paramount Theater to replace the State Theater.

The technical amendments requested contribute little if any additional increase in environmental impact to the proposed Zoning; however they do provide for an enhanced project design and are critical to the project's economic feasibility. A detailed analysis of the historic buildings on the site and the environmental and transportation impacts of the project are attached in TABS 4, 5 and 6. In referring to these studies and studies conducted by the Boston Redevelopment Authority it is evident that the proposed alterations to the Midtown Zoning will not contribute any significant deleterious environmental impacts and indeed in some cases may reduce the impacts. A specific review of the critical issues is as follows:

- 1) **Shadow Impacts:** The proposed setback amendments allow us to place the taller buildings as far back from the Boston Common as possible thereby minimizing shadow impacts on this Boston Landmark. Slightly higher streetwalls will be closer to the historic streetwall heights of the existing buildings on the site.
- 2) **Wind Impacts:** The critical wind problems in the District are along Tremont Street bordering the Boston Common. The proposed design amendments do not contribute to impacts along this frontage. The reduced setbacks appear to be more than ample along Washington, Boylston and Avery Streets to mitigate winds deflected down the building facades well before reaching the street level.
- 3) **Transportation and Infrastructure Impacts:** The technical amendments requested do not alter the project's overall size or program and therefore will make no additional changes to the project's impact on transportation or City infrastructure.

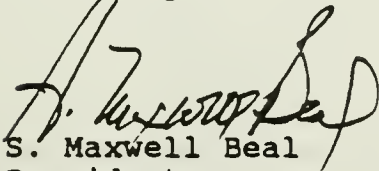
While these technical amendments add little or no deleterious environmental impacts, their incorporation into the zoning will enable the project to achieve superior design and necessary marketability. The overall economic feasibility of Commonwealth Center is based upon the project's size, cost and net income. Project size is defined by the City in its Midtown Zoning Plan. Public benefits are defined by the community and the City. The project's net income and costs are based upon market

Mr. Robert L. Farrell
December 30, 1988
Page Four

conditions and are outside the control of both the City and the developer. Therefore, the market will determine the economic feasibility of Commonwealth Center and the level of public benefits. As the economy fluctuates and market conditions change over the next few years, the developer and the City must work together to assure the success of Commonwealth Center and the Midtown Cultural District.

We would like to commend the efforts of the Boston Redevelopment Authority in conducting one of the most extensive community planning processes in the history of Boston or the country. We would also like to thank all of the people who have participated in planning Commonwealth Center. We hope you will share in our vision and the visions of the many people who have worked to shape the Midtown Plan by moving forward with the new Zoning and the minor technical amendments discussed above and in the attached materials. Thank you.

Sincerely,



S. Maxwell Beal
President
A. W. Perry, Inc.



Thomas L. Rich
President
F. D. Rich Company of Boston

TLR/msa

2000-2001

[illegible]

Mr. Robert L. Farrell, Chairman
December 30, 1988
Page 2

for PDA II, and would like to see it reduced to 10. Similar treatment for PDA I may also be appropriate.

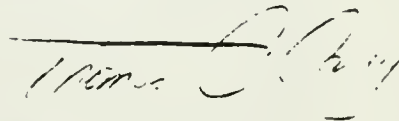
2. Height. Similarly, there is concern about the allowable height in PDA II. It is not clear why PDA II can support greater height and density than PDA I, especially since PDA II is nearer to the Boston Common than PDA I. We strongly suggest reducing the maximum allowable height from 400 feet to 350 feet.
3. Shadows. The trustees are concerned about the effect that shadows will have upon the approximately 180 residences within our building that face east towards PDAs I and II. We would like to see shadow studies provide information concerning the amount of sunlight that is blocked out from those residences.
4. Traffic. We are concerned about the ability of the narrow and congested streets in the area to handle the additional vehicular traffic that would be generated by these projects. We are also concerned about the ability of the sidewalks to handle the additional pedestrian traffic. We note that the zoning plan requires a transportation access plan pursuant to section 31-7 (sic) of the Zoning Code. That reference, apparently to section 31-6, permits scoping determinations to encompass pedestrian, as well as vehicular, traffic. We would encourage the BRA to ask developers to consider seriously the pedestrian element of the transportation access plan.

In addition to these substantive concerns, we note substantial ambiguity concerning the requirement of section 38-11(1) that 50% of the floor area of certain projects be devoted to non-office uses. As section 38-11(1) is drafted, this regulation would appear to apply only to PDA III. Since PDA III is ostensibly a residential/hotel use area, the rule would seem inapplicable to that PDA. If the requirement is intended to apply to PDAs I and II (an application that we would endorse), minor redrafting of section 38-11(1), and Table A to section 38-12, will be necessary.

Mr. Robert L. Farrell, Chairman
December 30, 1988
Page 3

Members of the TOC Board of Trustees and I would be happy to meet with you and members of your staff to discuss these issues. Thank you for the opportunity to present our views.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Thomas C. Carey", written over a horizontal line.

Thomas C. Carey

TCC/rm

cc: Stephen Coyle
Kristen McCormack
TOC Trustees
Lawrence Murray
Bethany Kendall

2030F

ST JAMES PROPERTIES

December 30, 1988

HAND DELIVERED

Ms. Kristen McCormack
Director, Midtown Cultural District
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

RE: Midtown Cultural District Plan

Dear Kristen:

On behalf of St. James Properties, I want to congratulate you and the Boston Redevelopment Authority on the proposed Midtown Cultural District Zoning Plan, the spirit of which we support wholeheartedly.

As you know, we are developing one of the first projects to be proposed within the new Midtown Cultural District, the Tremont Temple/90 Tremont Street project. This project, once completed, will be a vibrant example of the kind of new mixed-use development which the Plan encourages. Our sensitively designed project will generate substantial public benefits while addressing market demand through creative planning and property value enhancement.

We feel, however, that public benefits and economic issues should be balanced within a flexible framework to produce the most successful urban environment. The complex Midtown Cultural District projects might best be served by a set of review parameters similar to the standards used for review of proposed work to historically significant structures, i.e., site-specific criteria against which discrete proposals are measured. The resultant diversity of development will generate a lively and economically viable downtown.

As the year 2000 approaches, we can anticipate continued demand for growth in Boston's geographically confined downtown. By adhering to the dimensional limits of the City's zoning code established in the first quarter of this century, the opportunity to control or at least guide such inevitable development may be unnecessarily hampered. Initiating a more flexible project-by-project review process will encourage a higher level of sophistication for future development.

Ms. Kristen McCormack
December 30, 1988
Page two

Contextual urban design, visual excitement and strong architecture throughout the entire District are all possible to achieve, however, we feel that design, quality and innovation of individual projects are not stressed as strongly as are other objectives of the Plan. We welcome the empowerment of the Boston Civic Design Commission which will certainly contribute to the successful balancing of interests within a framework for the highest order of urban and architectural design.

St. James Properties wants to reiterate support for the Plan and encourages the incorporation of a flexible development review and negotiation process by which benefits can be maximized for all concerned parties and the City as a whole.

Thank you very much.

Very truly yours,

Pamela C. Chicklis (csp)

Pamela C. Chicklis

/kw
lll

cc: Mr. Stephen Coyle
Mr. William Whitney

December 8, 1988

Boston Redevelopment Authority
Members of the Board of Directors
Boston City Hall
9th Floor
Boston, MA 02202

Dear Boston Redevelopment Authority Board of Directors:

A majority of the Chinatown-South Cove Neighborhood Council members, together with the undersigned, support the Midtown Cultural District Plan and the related zoning amendment in its revitalization of the Midtown Cultural District and its support of the preservation and enhancement of Chinatown.

We recognize that this plan for the revitalization of the Midtown Cultural District can benefit Chinatown, especially in terms of funding for affordable housing, increasing Chinatown businesses, improving safety around the combat zone, and creating job training slots and child care facilities. The plan will also provide the opportunity to expand, upgrade, and diversify Chinatown businesses and employment.

We appreciate the sensitivity and response to issues raised by the Chinatown community during the review process, especially with regard to the height and density limits for many sites abutting Chinatown. We will participate actively in the development of a masterplan for the Hinge Block as a special study area to include neighborhood businesses, services, cultural facilities and affordable housing for Chinatown and the Asian community.

One of our major concerns is with the potential traffic impact of all new construction on Chinatown. We appreciate the need for shifting traffic away from Chinatown and the Financial District, especially in light of the upcoming Central Artery construction. We will work with the city to make sure that we can immediately begin the phase-by-phase traffic improvement program for Beach Street, and we will continue to work with the city and the developers to implement measures that will reduce through traffic and peak hour congestions, while addressing parking issues.

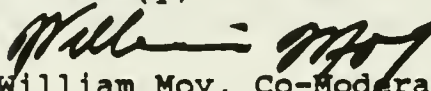
The Midtown Cultural District Plan presents an opportunity to benefit Chinatown and we want to ensure that Chinatown

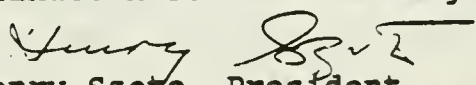
will obtain the linkage assistance for housing and job training. We are particularly interested in the development of a cultural center with an emphasis on a wide range of programs and activities serving the Asian community. We are pleased that the Mayor' Office of Humanities and Arts and the BRA will co-sponsor a needs assessment study and exploration of potential sites within the Midtown Cultural District, such as the Pilgrim Theatre.

We will continue to work with the BRA on the specific regulations for neighborhood business opportunities and child care. In particular, we will work with the city to ensure that the Chinatown community will be able to participate effectively in the detailed project review process to monitor development and related mitigation measures. We will work together with the many different groups and constituents to address the complicated balance of benefits and burdens.

We recognize and appreciate the BRA's active support of the Chinatown community in developing affordable housing and community facilities. And we will look forward to the BRA's and the City's continued support in our community-based masterplan, the on-going rezoning study, and other actions to protect and ensure Chinatown's future as a unique cultural center and historic community in the city.

Sincerely,


William Moy, Co-Moderator
Chinatown-South Cove Neighborhood Council


Henry Szeto, President
Chinese Consolidated Benevolent Association

Doris Chu, President, Chinese Culture Institute
George Wu, Executive Director, Chinese Culture Center, Inc.
Linda Zyskowski, Executive Director, The Hong Kong
Association of Boston, Inc.
Jane Leung, Executive Director, Chinese Youth Essential
Service
Joe Chin, New England Gee How Oka Ting Family Association
Frank Chin, Cathay Corner
David S.Y. Wong, Sun Sun Company
Billy Chin, China Pearl Restaurant
Wilson Lee, Dynasty Restaurant
Park Foo Restaurant
Tung On Company
Moon Villa Restaurant
Park Fook Restaurant
Ho Foo Commisary

Ho Toi Noodle Company
Ho Yuen Ting Restaurant
Tai Tung Driving School
Sampan Travel Company
Far East Travel
Cheng Kwong Supermarket
Great Wall Market
Courtney Florist Company
Chin's Agency

Building and Construction Trades Council of the Metropolitan District

AFFILIATED TO THE

BUILDING AND CONSTRUCTION TRADES DEPARTMENT

A.F.L.C.I.O.

TERRITORIAL JURISDICTION

Arlington, Boston, Belmont, Brookline, Burlington, Cambridge, Canton, Chelsea, Dedham, Everett, Malden, Medford, Melrose, Milton, Norwood, Reading, Revere, Somerville, Stoneham, Wakefield, Westwood, Winthrop, Winchester, Woburn, and the Islands of Boston Harbor

TELEPHONE
617 - 282-0080

645 MORRISSEY BOULEVARD
SUITE 2
BOSTON, MA 02122-3520

December 28, 1988

Boston Redevelopment Authority
One City Hall Square
Boston, Ma 02201
C/O Robert Farrell, Chairman

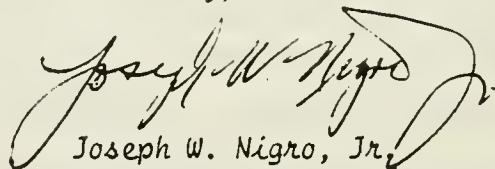
Dear Chairman Farrell:

Thankyou for allowing us to present oral testimony in support of the Midtown Cultural District Plan on December 8, 1988.

The Building Trades Council hopes that the B.R.A. would include in all accompanying zoning amendments discretionary control over all height, floor plate and set back requirements in this PLANNED DEVELOPEMENT AREA.

Once again thank you and the B.R.A. board members for keeping the Boston economy flowing in the right direction.

Sincerely,



Joseph W. Nigro, Jr.
Secretary Treasurer/General Agent
Boston Building Trades Council

TREMONT TEMPLE BAPTIST CHURCH

"The Strangers' Sabbath Home"

88 Tremont Street, Boston, Massachusetts 02108

Church Office (617) 523-7320

1839 **150** 1989

Rev. Dr. Charles E. Hendricks, Pastor

December 30, 1988

Mr. Robert L. Farrell, Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: Proposed Midtown Cultural District Zoning Regulation

Dear Mr. Farrell:

This letter is to follow up my oral testimony provided before your Board December 8, 1988. Thank you very much for providing us the opportunity of speaking to your Board regarding the Proposed Midtown Cultural District Zoning Regulation.

We support the Midtown Cultural District because it will bring new life and vitality to the city and provide cultural and artistic opportunities for all our citizens. We believe the plan itself will make a long-term contribution to the city's growth.

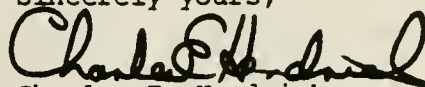
We at Tremont Temple believe the proposed development of our property in cooperation with 90 Tremont Street embodies the essential qualities of the midtown project combining restoration of an historic building and construction of a new building replacing an aging structure. The 1800 seat auditorium of our Church will be restored to its grandeur and beauty of 1896. The magnificent facade of the building will also be restored representing a unique structure in the city. Historically the auditorium has been rented for cultural events that are consistent with our church mission. We have also contemplated within our plans rooms and areas that can serve as much needed practice space for artistic groups. The P.N.F. submitted to your Board includes plans for day care facilities.

One of the concerns we have is flexibility to get the height and mass needed to ~~make this~~ project financially feasible. We recognize the extensive public review process that is necessary for such a project to receive approval. Such flexibility would give us and any other projects an opportunity to present our case before your Board and other review groups on an individual basis to determine the merits or problems with the proposal.

We support the Midtown Cultural District Plan's goals and objectives and look forward to working with your Board to realize the goal of revitalizing this area of the city.

Thank you.

Sincerely yours,



Charles E. Hendricks
Pastor

CEH/ss

M A C O M B E R

D E V E L O P M E N T

A S S O C I A T E S

JAN 3 2 11 PM '89

The Boston Conservatory
8 The Fenway
Boston, MA 02115

January 3, 1989

Ms. Kristen McCormack
Director, Midtown Cultural District
Boston Redevelopment Authority
City Hall Plaza
Boston, Massachusetts 02210

RE: Midtown Cultural District
Zoning

Dear Ms. McCormack,

After reviewing proposed Article 38 the "Midtown Cultural District Zoning Plan" distributed at the Public Hearing on December 8, 1988, we offer the following comments.

We sincerely welcome and applaud the efforts that created this plan. The comprehensive and cooperative effort by city government and the private and non-profit sectors is most positive and productive.

Our comments deal primarily with proposed Planned Development Area III. The proposed zoning states the establishment of PDAs in the district is for the purpose of providing:

"a more flexible zoning law and encouraging large-scale private development on under-utilized sites in the Midtown Cultural District while insuring quality design by providing planning and design controls; to protect and rehabilitate Boston's historic entertainment center as its cultural district, and to achieve the plan for the area as a vibrant regional arts district; preserve and create the facilities necessary to house and showcase the resident artists and non-profit arts groups; to protect and provide for expansion of housing and community facilities for the Chinatown community; and to preserve and protect the historic resources of Midtown."

One Main Street
Cambridge
Massachusetts
02142

617/ 494-4900

However, the proposed zoning for Planned Development Area III limits building to a height of 155 feet unless residential or hotel use is included in the project. It also limits office use to 50% of the project.

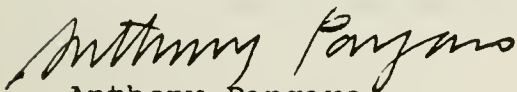
We feel that the parcels included in PDA III are critical to the revitalization of the Tremont and Stuart Street area and to the Theater District. Neighborhood business opportunities, cultural facilities, and rehabilitated theaters will only occur where and if viable commercial development occurs. The Plan does an excellent job of ensuring this where development occurs; but, the plan does little to ensure balanced development in the southwestern part of the Midtown area. In our experience, the driving force for revitalization of the Midtown Cultural District must consistently be a balance between cultural and commercial uses. The economic "engine" for such growth must be a commercial use which is the strong component of the equation between desired result and the ability to pay. We do not believe that such a balance exists in the southwestern section of the Midtown Cultural District. There are very few sites available, and those that are available are not viable for hotel or residential use and the cultural facilities desired.

Further, there is an inconsistent approach among the three PDAs. Use is not restricted to housing or hotel in PDA I; yet is restricted in PDA III. This signifies a desire to limit activity in PDA III while the reasons for such limits are not clear. The degree to which PDA III can carry out the public purposes so clearly enunciated by the entire Plan are therefore very inhibited.

We strongly suggest removing the use restriction set for PDA III and allowing general uses (subject to the approval of the BRA for a particular project).

Sincerely,

MACOMBER DEVELOPMENT ASSOCIATES



Anthony Pangaro
Partner

Sincerely,

BOSTON CONSERVATORY OF MUSIC



William Seymour
President

AP:adg

January 4, 1989

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
City Hall Plaza, 9th Floor
Boston, Ma. 02201

Dear Mr. Coyle:

We are encouraged by the proposed Midtown Cultural District zoning which, we believe, will enhance the area around Campeau's proposed Boston Crossing project. We believe Bloomingdale's and the project can make a very substantial contribution to the goals of the Midtown Cultural District.

The recent decision by Mr. O'Leary of the MBTA to pursue the Essex Street alignment for the proposed new, southbound subway line is an encouraging sign of local support for the project. Transit ridership is important to us, and the Bloomingdale's building will include improvements to the Chinatown T-station.

As you know, Boston Crossing is a unique urban project, introducing one of the most powerful retail destinations ever proposed for a downtown, and balancing it with a complementary mix of commercial use important to the project's economics. It is important that the zoning regulation grant the Redevelopment Authority flexibility in such areas as height and setback to allow major projects such as Boston Crossing to be developed in Midtown in Planned Development Areas.

Continued ..

bloomingdale's

Page Two

Mr. Stephen Coyle

Boston Redevelopment Authority

We appreciate your consideration of our comments as you review the proposed zoning regulation. Bloomingdale's looks forward to working with Campeau and the Redevelopment Authority towards achieving a project which will benefit both a Midtown Cultural District and downtown's position in the regional economy.

Sincerely,

A handwritten signature in dark ink, appearing to read "Marvin S. Traub". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Marvin S. Traub

MST:pd

cc: Mr. Rob Farrell, Chairman
Boston Redevelopment Authority

Mr. Tom Lehnen, Vice President
Federated Properties

BOSTON RESIDENT THEATRE ALLIANCE

IN PARTNERSHIP WITH STAGESOURCE

December 5, 1988

Robert L. Farrell
Chairman
Board of Directors
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Mr. Farrell:

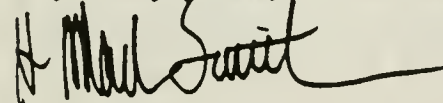
The Boston Resident Theatre Alliance, an organization of 29 non-profit theatre companies and four arts service organizations, has been working in collaboration with other members of the community and with city officials on forging plans for the Midtown Cultural District since 1984.

The Boston Resident Theatre Alliance has been actively involved in the plans for this development through the work of our appointed representatives to the Task Force and its four sub-committees. Our general membership has been kept abreast of the progress in planning through regular reports from these representatives at monthly meetings.

The Boston Resident Theatre Alliance has made this significant investment in volunteer hours because we feel strongly that the creation of the Midtown Cultural District has the potential for dramatically increasing the effectiveness of our member companies to present the broad spectrum of our collective works to an increasingly diverse audience from throughout the City of Boston and the metropolitan region.

We look forward to continuing our work with the Office of Arts and Humanities and the Boston Redevelopment Authority to make this vision a vital, workable, and accessible reality in meeting the cultural needs of the many peoples of Boston.

Very truly yours,



H. Mark Smith
Chair, Boston Resident Theatre Alliance
232-1715

cc: Stephen Coyle, Director, Boston Redevelopment Authority
Richard Freeman, Chair, BRTA Advocacy Committee
Larry Murray, Chair, Midtown Cultural District Task Force
Bruce Rossley, Commissioner, Office of the Arts and Humanities
Dona Sommers, Chair, Cultural Facilities Committee



The Commonwealth of Massachusetts
MASSACHUSETTS CAUCUS OF WOMEN LEGISLATORS

ROOM 156, STATE HOUSE
BOSTON, MA 02133
TELEPHONE 722-2285

6 December 1988

Mr. Kane Simonian, Secretary
Boston Redevelopment Authority
Board
Boston City Hall - 9th Floor
Boston MA 02201

Dear Mr. Simonian:

I am writing as Chair of the Massachusetts Caucus of Women Legislators to support subsection 4, "Inclusion of Day Care Facilities" in the Boston Redevelopment Authority's proposal to amend the Boston Zoning Code by establishing a new Article 38 Midtown Cultural District Zoning Plan.

For the past several years, the Caucus has strongly supported state legislation to create a Day Care Linkage statute acknowledging the need to create more facilities for child care programs for working parents. We have backed the linkage concept because we understand the conversion of existing space can be costly and time consuming. We believe that if companies had the option of renting or purchasing space in buildings which already had room set aside for child care, they would gladly work with child care providers to offer this benefit to their employees. The current lack of space for these centers is forcing a number of them to close their doors; at the very least it is preventing them from expanding.

The BRA's plan to direct downtown development speaks to the problem we in the Legislature have been grappling with on the state level: what the private sector, as well as government, can do to meet the child care needs of the workforce effected by new development. By supporting child care, we support the economic infrastructure which will keep our local and state economies booming and healthy.

We commend your efforts at the local level.

Sincerely,

Carmen D. Buell
Carmen D. Buell
Chairperson/Representative

/bjt

Dec 6, 1988

Mr. Kane Simonian
Secretary of the BRA Board

Testimony by Ellen Convisser, President
Boston Chapter of the National Organization for Women

The Boston Chapter of the National Organization for Women strongly supports the inclusion of Childcare Linkage in the proposed amendment to the Boston Zoning Code pertaining to the Midtown Cultural District Plan. With 2000 members of our organization in the Boston area, NOW is very much concerned with opportunities and options for the women of Boston.

The development of the Midtown Cultural District will provide many new opportunities for individuals and families. Currently there is no available child care in the midtown area. There is a desperate need for such services and the development of the district will only increase that need.

With almost 60% of women with children in the paid work force, child care is key to the economic survival of many Boston families. Women in the paid work force cannot be asked to support their families and to simultaneously stay home to care for them. Boston must work to create real, viable options that will offer women in the work force true choices about child care.

The proposed amendment offers an opportunity for Boston to act creatively about land use and the needs of the people of this city. We must look at every possible mechanism to allow women to work in Boston. For many mothers and parents working near their children will create not only an optimal situation, but in some cases the only possible alternative. Neighborhood child care locations (when available), in some cases can be ideal. However for people with long hours, transportation problems or children with special needs, neighborhood care can be impossible. Childcare near the place of employment, can allow for more time spent with children as well as more parental involvement.

This is an opportunity for the city to state its priorities. Accessible child care is critical to the lives of women and their families. Boston NOW supports the plan to include child care linkage and we commend the administration for including this measure.



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

STATE HOUSE, BOSTON 02133

SAUNDRA GRAHAM
28TH MIDDLESEX DISTRICT
ROOM 156
TEL 722-2256

Committees
House Chairwoman
Federal Financial Assistance
Housing and Urban Development

December 6, 1988

Mr. Kane Simonian
Secretary, Boston Redevelopment Authority Board
Boston City Hall, 9th Floor
Boston, MA 02201

Dear Mr. Simonian,

I am writing to add my voice in favor of subsection 4, "Inclusion of Care Facilities", into the new Article 38 of the Boston Zoning Code regarding development in the Midtown Cultural District.

For the past three years I have been the lead sponsor of state wide legislation that would accomplish the same type of connection between development and the provision of child care space that is proposed in subsection 4. The rationale for the state wide Child Care Linkage is that among the many benefits commercial development brings to a community it also further strains the community's child care services. The jobs created by large scale development will need to be filled by a shrinking labor pool, one increasingly comprised of women. If we are to keep the wheels of development greased and pull more workers into good paying jobs we obviously need to create more child care space.

This rationale was endorsed by the House of Representatives this year when the Child Care Linkage bill passed that Chamber by a vote of 101-43. The Boston delegation voted overwhelmingly to support the bill, with 11 members voting 'yea' and 3 members not present to vote.

The House vote recognized the role that child care plays as a crucial underpinning of a healthy economy. Subsection 4 of the proposed amendment to the Zoning code appreciates that same reality. Given the commercial development potential of the Midtown Cultural District and the large residential communities that surround it, the rationale for including child care in this plan fits like a glove.

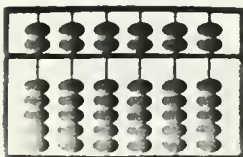
Mr. Kane Simonian
December 6, 1988
Page 2

I hope that subsection 4 will remain in the proposed Zoning code amendment. We owe this much to our economy, our families and our young children.

Sincerely,

A handwritten signature in cursive script, reading "Saundra H. Graham". The signature is written in dark ink and is positioned above the printed name.

Saundra Graham
Chairwoman, Federal Financial Assistance



CEDC Counts On You

華人經濟發展協會

Chinese Economic Development Council, Inc.

31 Beach Street, Boston, Massachusetts 02111

Tel. (617) 482

instruction to day care and business resource services. For some time, as a result, CEDC has been particularly concerned with how the city and the BRA plan to allocate the vital area south of Downtown Crossing to Chinatown. Due to the heightened desirability over the location of this area zone, many in the Chinese community are now worried about the opposing self-interest groups that may decide the fate of this land's use. This area has long had immediate and significant impact on both the historic character and the development potential of the city's Chinatown.

With the establishment of the Midtown Cultural Zoning Plan, we strongly believe that the multi-faceted challenges and needs of the city and Chinatown will be addressed in a comprehensive, sensitive and responsible manner. Moreover, the Midtown Cultural District Plan's multi-tier goals and cross-sector membership seem to encourage the best use of the designated zone. At the same time, the Plan will rightly focus on the versatile economic priorities and cultural interests already existing in the immediate and surrounding area.

CEDC is very supportive of the Midtown Plan's range of goals shared by a vast majority of Chinatown's economic-development and community-service organizations. CEDC is especially in favor of the representative mix of community input the Plan will incorporate in its decision making, which otherwise would likely be jeopardized.

CEDC therefore enthusiastically endorses the Midtown Cultural District Plan and all its planning and cultural objectives for the use of this strategically targeted zone. We also look forward to a constructive involvement in the Plan's decision making process.

Sincerely,

Bing L. Wong
Chairman of the Board



BOSTON REDEV
AUTHOR
DIRECTOR'S

Women's Bar Association
of Massachusetts

121 Mount Vernon Street, Second Floor
Boston, Massachusetts 02108
617-227-0986

December 7, 1988

Kristen McCormack
Boston Redevelopment Authority
9th Floor
Boston City Hall
Boston, MA 02201

RE: Midtown Cultural District Zoning
Plan Amendment

Dear Ms. McCormack,

On behalf of the Women's Bar Association, we are submitting written testimony in support of the Amendment to the Midtown Cultural District Zoning Plan calling for the linkage of day-care facilities to real estate development.

The "Linkage" Amendment addresses the serious shortage of affordable, quality child care which now exists in the City of Boston.

Nearly half of all Massachusetts mothers with children under the age of six work outside of the home. Yet, only an estimated one third of the families needing child care are able to find quality care at a price they can afford.

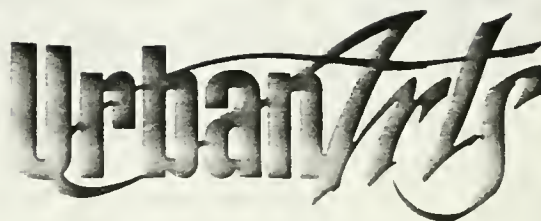
The Amendment would help to alleviate this social problem as well as promote important social goals. Additional child care space will be created. The business community will be involved in helping to meet the day-care needs of its employees. The Amendment will also serve to reduce stress on working parents and impact positively on worker productivity.

Accordingly, we urge the passage of this Amendment which will provide benefits to working parents, employers and the Boston community.

Respectfully yours,

Rachel J. Sagan, Chair
Labor, Health and Economics
Legislative Policy Committee

Stacey Cushner
Co-Chair, Legislative Policy
Committee



7 December 1988

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Dear Mr. Coyle:

At a meeting on 30 November 1988 members of the Boston Public Art Task Force voted unanimously to submit a written recommendation to you that opportunities for the incorporation of public art be specifically mandated in the zoning document for the Midtown Cultural District.

I understand that language has now been incorporated into the zoning document, and speaking on behalf of the members of the Task Force I wish to tell you how much we appreciate the inclusion of public art as a major consideration. The Task Force supports the Midtown Cultural District Plan and we look forward to working with you in defining the details for specific regulations for implementation of a public art policy for the District. We understand that these will be incorporated into the Midtown Cultural District Planning Document.

Please let me know if I can be of assistance in further defining the relationship between the Boston Public Art Task Force and the Midtown Cultural District Plan.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Pamela Worden".

Pamela Worden
Chair, Boston Public Art Task Force
PRESIDENT, URBANARTS, Inc.

cc: Napoleon Jones-Henderson
Larry Murray



Inner City Council for Children

90 Warren Street, Roxbury, Massachusetts 02119 427-0606

December 8, 1988

Boston Redevelopment Authority Board
City Hall
9th Floor
Boston, Ma. 02201

Dear Members of the Board:

On behalf of the Inner City Council for Children, we are writing in support of the Midtown Plan and the childcare language therein.

We urge you to support and vote in favor of this plan. There is a critical need for childcare in the downtown area especially during this redevelopment period. We ask that the childcare language remain as part of the overall plan.

Sincerely,

Nia-Naima Alimayu
Nia-Naima Alimayu
Co-Chairperson

Linda Brockington
Linda Brockington
Co-Chairperson

NNA/LB/EC

MASSPIRG

MASSACHUSETTS PUBLIC INTEREST RESEARCH GROUP

December 8, 1988

TESTIMONY SUBMITTED TO: Secretary Kane Simonian, Boston Redevelopment Authority Board

TESTIMONY SUBMITTED BY: Laura Barrett, Child Care Program Director, Massachusetts Public Interest Research Group (MASSPIRG)

MIDTOWN CULTURAL DISTRICT NEEDS CHILD CARE

My name is Laura Barrett, and I am the child care program director for the Massachusetts Public Interest Research Group (MASSPIRG), a statewide consumer and environmental advocacy organization. MASSPIRG has more than 170,000 members statewide.

I am here today to testify in favor of the "Inclusion of Day Care Facilities" proposal contained in the new Midtown Cultural District Zoning Plan. MASSPIRG has been advocating for child care linkage of this sort for more than two years. We are the organization leading the battle for a statewide Child Care Linkage Bill that is being sponsored in 1989 by Senator John Olver (D-Amherst), Rep. David Cohen (D-Newton) and more than 70 other legislators. We also authored a study in October 1987, entitled "Raising Massachusetts: Building a Child Care Linkage Policy," which describes the need for child care services in Massachusetts and the reason for asking developers to help alleviate the demand for child care services that their new developments help generate.

Although some of the specific components of the statewide linkage bill and the BRA proposal differ, the principle is the same, and can be summarized as follows:

MASSPIRG TESTIMONY 2-2-2

(1) The development of commercial and industrial properties leads to increased employment. A certain percentage of those new employees will be parents of young children, and some of those parents will need child care services in order to work;

(2) There is a well-documented need for additional child care services just to meet the existing demand, and communities cannot easily absorb the new demand for services generated by development;

(3) It is therefore both fair and necessary to ask developers to contribute an "impact fee" to help alleviate that demand. Under linkage, that "fee" would come in the form of building child care on or near the development site.

(4) Linkage is good for business, too. Child care is not just a family service needed to protect the well-being of children; it is also a societal service needed to keep the economy afloat and to boost the tax base. After all, for every parent who cannot work because there is insufficient affordable child care, there are businesses that will have to forego the talents of that employee, and governmental coffers that will be deprived of that worker's tax dollars.

This is not just a theoretical problem; it has been well-documented. According to a June 1988 report commissioned by the state, entitled "Caring for our Common Wealth: The Economics of Child Care in Massachusetts," about 335,000 Massachusetts children are currently in non-parental care because of parental employment. "In addition," the report states, "over 40 percent of the mothers not currently employed report that they would look for work or enter school or a job training program if satisfactory child care were available to

MASSPIRG 3-3-3

them at a reasonable cost: these represent an unmet demand for care for an additional 51,000 families."

On- or near-site child care not only benefits parents and the economy as a whole, but also the particular businesses located at development sites equipped with these services. According to the Final Report of the Governor's Day Care Partnership Project, "With reliable care, working parents' absenteeism, tardiness and turnover rates decrease while their morale and job performance improve." Again, this is not just a theoretical benefit, but has been documented in many studies, several of which are cited in the MASSPIRG report that I will submit along with my testimony.

Numerous surveys have shown that the general public increasingly believes that the private sector ought to be required to offer child care services. A 1986 TV4/Harris poll found that 83 percent of Boston area adults felt that employers should have some responsibility for providing child care for their employees. And, in a 1987 survey by Bell Associates commissioned by the BRA, Boston residents were asked the following question: "Do you favor the requirement that developers of large commercial buildings contribute money to a fund to provide day care?" Sixty-eight percent of the respondents said "yes," while only 26 percent said "no."

Finally, we simply do not believe the charge by some developers that this linkage will drive them out of business. I'd like to quote from a recent Newsweek article on linkage (Sept. 5, 1988) that addressed the housing and jobs linkage requirements in Boston. "Though developers warned that linkage 'would kill the goose that laid the golden egg,' according to Peter Dreier, Boston Redevelopment Authority's director of housing, 'it hasn't even ruffled the goose's feathers. We still have developers lining up to build here.'"

MASSPIRG 4-4-4

The space exacted under the proposed linkage plan is not excessive, and indeed the provision of child care services will serve to attract businesses and employees to the new development sites in the Midtown Cultural District, contributing the overall revitalization of the area.

Thank you for considering this testimony.



The Commonwealth of Massachusetts

Office for Children — Region 6

150 Causeway Street

Boston, Massachusetts 02114

MARY KAY LEONARD
DIRECTOR

DEANNE BONNAR
REGIONAL DIRECTOR

AREA CODE (617) 727

December 8, 1988

Boston Redevelopment Authority
Board of Directors
City Hall
Boston, MA 02201

Dear Members of the Board:

The Metropolitan Boston office of the Office for Children would like to express its support of the child care provisions in the Midtown Cultural District Plan.

Across the City of Boston, and across the state, city councillors, legislators, administrators, parents and providers are all grappling with what has become one of the major family and economic issues of the decade: providing quality child care for working parents. In order for them to remain in the workplace these families must have child care resources.

The State has responded to the child care crisis. State support for day care related programs has increased 45 percent since 1985. In fiscal year '88, Massachusetts will spend: nearly six million dollars to license and monitor child care; approximately 29 million dollars in day care subsidies for DPW Employment Training participants; more than 78 million dollars for DSS subsidized day care; 440,000 dollars for day care scholarships for families whose income is between 70 and 100 percent of Massachusetts' median income; approximately two million dollars through CCR&Rs to develop programs and assist parents in finding appropriate care; and nearly three million dollars for head start programs.

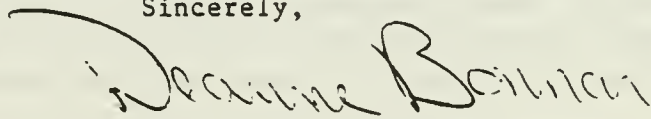
Additionally, Massachusetts will spend 100,000 dollars for a Corporate Child Care Program to provide assistance to employers on child care issues. To encourage individuals to pursue a career in child care and to minimize staff turnover, the Commonwealth has raised day care wages in state subsidized programs by more than thirty percent since 1985.

Nonetheless, the demand for child care in Boston is still greater than the supply. There are about 40,000 school age children in this city whose parents are in the workforce. Only 3,600 children, however, can be served by the 88 registered school-age programs in Boston. Some of the remaining 36,400 children are cared for by family members, while others go to family day care homes, libraries and empty homes. It is important to note that these alarming numbers only reflect the need for child care for school age children in Boston, and not the total need for child care for families with infants, toddlers and preschoolers.

As the business sector continues to develop and grow, it must assume more responsibility for ensuring that there is a sufficient supply of affordable child care to meet the needs of its employees. The child care provision of the Midtown Cultural District Plan provides a mechanism for part of the business community to respond to that need.

The Region VI office of the Office for Children urges your strong support for the child care provisions in the Midtown Cultural District Plan.

Sincerely,

A handwritten signature in dark ink, appearing to read "Deanne Bonnar". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Deanne Bonnar
Regional Director



CHILD CARE RESOURCE CENTER, INC.

Cambridge office/Mailing address
552 Massachusetts Avenue
Cambridge, Massachusetts 02139

Boston office
1485 Dorchester Avenue
Dorchester, Massachusetts 02122

Parent Information: (617) 547-9861 / Business: (617) 547-1063

VOUCHER DAY CARE PROJECT

December 8, 1988

Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

To Whom It May Concern,

We are writing to express our support for including language requiring new developers to provide child care in the zoning code for the Midtown Cultural District. It is crucial to the economic success of the plan that child care provisions be included, for the following reasons:

•**Child care is what enables parents to work.** Working parents are paying taxes and thereby contributing to the economic health of the state and the city. This allows state revenues to increase, which, particularly in today's economy, benefits all Massachusetts residents. Child care is what makes the difference between work and welfare for many parents.

•**Child care helps to recruit and retain qualified workers.** Studies have shown that when child care on or near the worksite is provided for working parents, employee productivity goes up and absenteeism goes down. In addition, the projected recession for Massachusetts is predicated upon the unavailability of new employees. Over forty percent of Bay State mothers not currently employed report that they would look for work if satisfactory, reasonably-priced child care were available. Companies which invest in child care options for their employees have less difficulty, in a time of very low unemployment, finding and keeping workers.

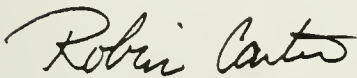
•**Child care saves money.** An investment in the education and care of children before they start public school makes it possible for the state and city to save money which would have been spent for welfare costs (parents are working since they have child care), juvenile delinquency programs (children who have been cared for from early childhood are less likely to drop out of school in later years), and other social programs.

Clearly, child care is the economic solution to many of the difficulties the state is currently experiencing. However, child care, which provides benefits to all, should not be the economic burden of a single sector. Rather, the financing for child care should be a partnership among the state, developers, business, municipalities, philanthropy, public schools, and parents. At the present time, business and developers are the "missing links" in this partnership. While a few developers and businesses are voluntarily providing child care options for their employees, less than 10% of these groups are

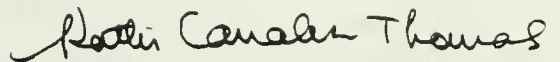
child care resources.

Child care should not be considered only a women's issue, or only a family issue, or only a low-income issue. Child care is everybody's business. Invest now, and put Boston to work!

Sincerely,



Robin Carton
Technical Assistance Manager, Region VI
Child Care Resource Center



Kathi Carrales Thomas
Executive Director
The Childcare Project, Inc.



**City of Boston
The Environment
Department**

Raymond L. Flynn
Mayor

Lorraine M. Downey
Director

Boston City Hall/Room 805
Boston, Massachusetts 02201
617/725-4416 or 725-3850

December 8, 1988

Stephen Coyle
Director
Boston Redevelopment Authority
City Hall, 9th floor
Boston, MA 02201

Dear Mr. Coyle and Members of the Board:

The Environment Department staff of the City of Boston has reviewed the materials available on the revised Midtown Cultural District Zoning Plan. The staff believes that the intentions of the overall plan reflect the multidisciplinary goals of the Commissions represented by the Environment Department, and it commends the Boston Redevelopment Authority for its close attention to the preservation of built and natural environment and of public art.

The Environment Department, in supporting the Midtown Cultural District Zoning Plan, will work closely with the Midtown Cultural District Task Force and other public and private organizations in order to ensure the protection of the Boston Common and Public Garden - premier open public spaces which all Boston residents now enjoy. We urge the Task Force to examine closely any proposal, such as a case in Deer Park, which might privatize and thereby diminish public use of the Common and Garden.

The Common and Garden must be considered as intrinsic elements in any design proposal even beyond the immediate abutting properties. Any changes in scale and massing, even the most subtle or temporary, should be carefully reviewed for their impact on the character of the Boston Common and Public Garden.

I look forward to working with your staff on the final version of this long sought goal.

Sincerely,

Lorraine M. Downey
Director

TESTIMONY PREPARED BY ELAINE FERSH, DIRECTOR
PARENTS UNITED FOR CHILD CARE

GOOD AFTERNOON. MY NAME IS ELAINE FERSH AND I AM THE DIRECTOR OF PARENTS UNITED FOR CHILD CARE. PARENTS UNITED FOR CHILD CARE IS A MEMBERSHIP ORGANIZATION OF OVER 400 LOW AND MODERATE INCOME PARENTS, PRIMARILY RESIDENTS OF BOSTON, COMMITTED TO INCREASING THE SUPPLY OF QUALITY, AFFORDABLE CHILD CARE IN MASSACHUSETTS. I AM HERE TODAY TO VOICE OUR STRONG SUPPORT FOR THE INCLUSION OF ZONING REGULATIONS THAT WOULD PROVIDE FOR THE CREATION OF NEW DAY CARE CENTERS IN THE PROPOSED MID-TOWN CULTURAL DISTRICT.

THERE IS A CRITICAL SHORTAGE OF QUALITY, AFFORDABLE CHILD CARE IN BOSTON AND IN THE REST OF THE STATE. WHILE THERE IS NOT A QUICK AND EASY SOLUTION TO THIS PROBLEM, IT IS CLEAR THAT A VARIETY OF INITIATIVES MUST BE TAKEN SO THAT PARENTS OF PRE-SCHOOL AND SCHOOL-AGE CHILDREN CAN CONTINUE TO WORK AND BE ASSURED THAT THEIR CHILDREN WILL RECEIVE THE CARE THEY NEED. OBLIGATING REAL ESTATE DEVELOPERS TO CREATE CHILD CARE SPACE AS PART OF LARGE INCOME GENERATING DEVELOPMENTS IS NOT ASKING THEM TO ADDRESS THE PROBLEM ALONE. THE CREATION OF SPACE MUST BE ACCOMPANIED BY ADDITIONAL PUBLIC AND PRIVATE RESOURCES THAT HELP PARENTS DEFRAY THE SKYROCKETING COSTS OF CHILD CARE AND HELP ALLEVIATE THE STRESS THAT WORKING PARENTS FEEL IN TRYING TO MEET THEIR EMPLOYMENT AND FAMILY RESPONSIBILITIES.

WE BELIEVE THAT THE INCLUSION OF ZONING REGULATIONS WHICH REQUIRE DEVELOPERS TO BUILD CHILD CARE SPACE ACCORDING TO THE PROPOSED FORMULA IS AN ACTION WHICH HAS ENORMOUS PUBLIC BENEFITS.

IDENTIFYING CHILD CARE SPACE IN THE CITY IS CURRENTLY VERY DIFFICULT---SUITABLE SPACE IS LIMITED BOTH IN BOSTON NEIGHBORHOODS AND IN THE DOWNTOWN, AND CHILD CARE PROVIDERS WHO ARE LARGELY NON-PROFIT ORGANIZATIONS DO NOT HAVE THE RESOURCES TO RENOVATE OR CONSTRUCT NEW CENTERS TO MEET THE GROWING DEMAND FOR INCREASED SERVICES.

THE POTENTIAL BENEFIT OF ADDING APPROXIMATELY 500 NEW CHILD CARE SLOTS IN THE CITY OF BOSTON IS AN OPPORTUNITY THAT BOTH THE PUBLIC SECTOR AND PRIVATE SECTOR CANNOT AFFORD TO TURN THEIR BACKS ON AT THIS TIME. OUT OF THE 15,000 PROJECTED NEW PERMANENT JOBS, ONE CAN ONLY ASSUME, THAT A SIGNIFICANT NUMBER WILL BE HELD BY WOMEN, WHO WILL BE BY ALL INDICATIONS, THE SINGLE LARGEST GROUP OF PEOPLE ENTERING THE WORKFORCE TO MEET THE PROJECTED LABOR SHORTAGES OF THE 1990'S. WE KNOW ALREADY FROM A RECENT STUDY ON THE ECONOMICS OF CHILD CARE IN MASSACHUSETTS CONDUCTED BY THE STATE OFFICE FOR CHILDREN, THAT 3 OUT OF 5 CHILDREN UNDER THE AGE OF 13 LIVE IN FAMILIES WHERE BOTH PARENTS ARE EMPLOYED OR IN SINGLE-PARENT FAMILIES, WHERE THAT PARENT IS EMPLOYED. ACCORDING TO THAT SAME STUDY, THE FINDINGS INDICATE THAT THERE WILL BE AN INCREASE IN THE NEXT 10 YEARS OF AT LEAST 23% IN THE NUMBER OF CHILDREN UNDER THE AGE OF 13 IN MASSACHUSETTS WHO WILL NEED CHILD CARE. IF BOSTON FAMILIES ARE TO REAP THE BENEFITS OF DOWNTOWN ECONOMIC DEVELOPMENT THROUGH NEW JOB OPPORTUNITIES, THEY MUST HAVE ACCESS TO QUALITY, AFFORDABLE CHILD CARE.

FOR THOSE WHO MIGHT ARGUE THAT PARENTS DON'T WANT TO TAKE THEIR CHILDREN TO CHILD CARE CENTERS NEAR THEIR PLACE OF EMPLOYMENT, WE BELIEVE THAT THAT IS NOT TRUE FOR ALL PARENTS. AND

IN FACT, MANY PARENTS WOULD LIKE TO HAVE THE OPPORTUNITY DURING THEIR BREAKS OR LUNCHTIMES TO SPEND TIME WITH THEIR CHILDREN AT THEIR DAY CARE CENTERS AND PARTICIPATE MORE IN THEIR CHILD'S LEARNING EXPERIENCE. THE MEMBERS OF PARENTS UNITED FOR CHILD CARE BELIEVE THAT PARENTS MUST HAVE CHOICES ABOUT THE LOCATION AND WHAT KIND OF CHILD CARE THEY WANT, AND THAT ULTIMATELY THE TWO MOST IMPORTANT CRITERIA ARE THE QUALITY OF THE PROGRAM AND WHETHER OR NOT THEY CAN AFFORD THE COST OF THE CARE.

PARENTS UNITED FOR CHILD CARE THEREFORE SUPPORTS THE EFFORTS OF THE CITY AND THE BRA TO PASS THESE CHILD CARE ZONING PROVISIONS. PARENTS UNITED ALSO STRONGLY RECOMMENDS THAT THE BRA AND OTHER APPROPRIATE OFFICIALS ENACT ACCOMPANYING REGULATIONS AROUND THE IMPLEMENTATION OF THE ZONING PROVISIONS WHICH ENSURE THAT LOW AND MODERATE INCOME FAMILIES, PARTICULARLY THOSE EMPLOYED AT THESE NEW DEVELOPMENTS AND SECONDLY, OTHER BOSTON RESIDENTS BENEFIT FROM THE CREATION OF THESE CHILD CARE SLOTS. PARENTS UNITED FOR CHILD CARE WOULD LIKE TO WORK CLOSELY WITH THE BRA AND THE CITY AROUND THE FORMULATION AND MONITORING OF THESE PROVISIONS.



Action for Boston Community Development

Inc.

179 TREMONT STREET BOSTON MASSACHUSETTS 02111
TELEPHONE AREA CODE (617) 357 6000

TESTIMONY TO THE BOARD OF DIRECTORS BOSTON REDEVELOPMENT AUTHORITY DECEMBER 8, 1988

CHILD CARE IN THE PLANS FOR THE MIDTOWN CULTURAL DISTRICT

According to the latest information available from the Child Care Resource Center, only 50% of those families who are seeking child care services have been able to find care within six weeks of their initiating their search. Other information indicates that over 20% of working parents would like their children cared for near where they work or on the way (parents often know that there isn't any day care near business districts and so don't even think that's an option.)

In a recent issue of a real estate development journal, a developer was quoted as identifying the top priority service now being child care facilities, replacing fitness centers. As the staff person at CCRC said, "Fitness can happen anywhere, and anytime; but you can't go to work unless your child is taken care of."

Of the 14 child care centers in Boston's central city area, only 8 are available to the general public (6 have priorities to governmental, institutional or special service populations) for work-related reasons. Only 5 programs provide care for infants and/or toddlers, and rarely have openings. Only two centers have contracts with the Department of Social Services for a total of 14 slots, making the remaining slots affordable only to families with incomes above the low-to-moderate range.

What are the current barriers to creating more services down-town? In summary, probably the capital (~~costs~~) needed to build and/or renovate space so that it is licensable is the single most missing resource. One of the pieces missing from the puzzle is the inclusion of space well designed and affordable ^{in every new} development project, including the Midtown Cultural District. Our educational and training programs, our employment opportunities, the other services we offer in the downtown are often not really available to families because they cannot find care for their children, and because they want their children to be reasonably close by in case of emergency and for ease of transportation.

ABCD's Head Start program in Chinatown now serves 13 children. There is a waiting list of 50 for that program; the waiting list was closed at that point because it would be unrealistic to expect services to ever be offered to anyone farther down the line than that. If affordable space were available in or near Chinatown, Head Start and Day Care services could be provided to an additional 100 children, or ~~so~~ ^{more}.

ABCD strongly urges the BRA to ^{maintain the of} ~~inclusion~~ child care space in the development of the Midtown Cultural District.

Submitted by: Alma Finneran
Director of Day Care Services
Action for Boston Community Development, Inc.

Testimony to the BRA Board
Mary Hines, Co-Chair
Boston Women's Commission
December 8, 1988

Good Afternoon, and thank you for this opportunity to speak.

My name is Mary Hines, I am a resident of Dorchester and the Co-Chair of the Boston Women's Commission.

As you know, one of the most urgent and growing needs that Boston's families face today is the need for available, affordable, and high quality child care. How child care is obtained, where it is provided, and how much it costs have decided impacts on children, their working parents, and employers alike.

I am here today to support the plans for the Midtown Cultural District and in particular the plans for developers of projects exceeding 100,000 square feet to devote at least 4000 square feet to child care facilities. Currently, there are only two licensed child care facilities in the downtown proper section of Boston. Together, these centers provide 89 slots. Both facilities are full with an average of a one year waiting period.

This past summer, the BRA Board voted a zoning amendment making family day care an allowable use in residential neighborhoods. The Women's Commission thanks this Board for its cooperation in recognizing that some parents may choose child care close to their homes. Today, we are here to ask your support to insure that working parents who prefer child care close to their workplace have that option as well. Data compiled from a child care survey distributed to City of Boston employees in October of this year, clearly reflect this desire for downtown child care. Of the respondents with children or expecting children over the next two years, 83% stated that they would use a child care center within City Hall for their children.

The Boston Women's Commission acknowledges that the need for child care is diverse and is proud to be part of the \$5 million effort that the Flynn administration has already made to the promotion of child care services in the City of Boston.

With 71% of Boston women aged 25 - 64 in the labor force, adequate child care is crucial to Boston's families, and is increasingly important to the continued economic success of this city.

On behalf of the Boston Women's Commission, I urge you to take positive action on the Midtown plan including the vital piece that would significantly expand the number of downtown child care centers. I also support the Authority's continuing efforts in addressing the concerns of neighborhood residents. Thank you.

South Cove YMCA / 56 Tyler Street, Boston, Massachusetts 02111 / 426-2237

December 8, 1988

**Board of Directors
Boston Redevelopment Authority
City Hall Plaza
Boston, MA. 02201**

Dear members of the BAA Board:

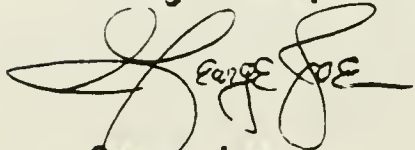
The South Cove YMCA in Chinatown fully supports the Midtown Cultural District Plan, its vision, its participatory process, and the community benefits that will accrue from this plan.

Part of the YMCA's goals is to help build a strong community through programs that will enhance the quality of life for its youths and families.

As a bridge for the future, we look forward to our role as continuing partners in the development of two adjacent downtown districts. We at the "Y" are also builders, but more specifically, we are builders of today's youths for tomorrow's leaders.

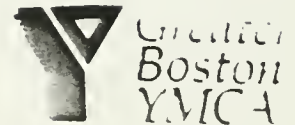
For the South Cove YMCA Board of Directors, we would like to extend our appreciation to all those who have been connected to the development of the Midtown Cultural District Plan, but especially to the planners and staff of the BAA for their energies and efforts towards this vision.

Today's concept is a dream, tomorrow it will become a reality.



**George Joe
Vice Chairman
South Cove YMCA
Board of Directors**





Metropolitan Offices / 316 Huntington Avenue, Boston, Massachusetts 02115 536- 0

December 8, 1988

Boston Redevelopment Authority
Board of Directors
City Hall
Boston, MA 02201

Re: Midtown Cultural District Plan

Dear members of the Board,

Since I did not have an opportunity to testify on behalf of the Greater Boston YMCA at the Board meeting on December 8, I am writing to support the child care provisions in the Midtown Cultural District Plan.

At the meeting, I heard abundant eloquent testimony regarding the need for child care to attract workers to the city. The Greater Boston YMCA's Training Inc. program gives living proof to that need.

Training Inc., an employment and training program with multiple sources of funding from the city, state, foundations, corporations, and private donations, is a fourteen-week program to train people in secretarial, clerical, and office support work. Five years old in January, Training Inc. has provided about 500 people to the workforce. With unusually high completion and retention rates around 90% each, Training Inc. has been recognized as one of the most successful employment and training programs in the city and state. We believe that a major reason for the program's success is that all trainees with young children are required to have child care before they may begin the program. While the supply of child care is not abundant, the state-supported voucher program does make it possible for many applicants to obtain child care for the fourteen weeks and for the remainder of the year, if they obtain employment upon graduation.

I would also like to address another concern I have heard expressed by people opposed to the child care provisions: that working people will not want to take their children to day care near their workplace, especially if they have to take the T. Again, our Training Inc. students belie this concern. Many of them do take their children to day care on the T, and then take another line to get to the program. One graduate who works in our office takes her children to two different child care centers, and then comes to work, all on the T. For these people, a one-legged trip on the T with children would be a luxury.

For years, the Y has seen abundant evidence that the inadequate supply of child care prevents many mothers from entering or staying in the workforce. The recent Affordability study confirms our experience: 40 % of the mothers on welfare surveyed stated that they would return to the workforce if they had child care. For four years, we at the YMCA have been

searching aggressively for space in which to operate a child care center for people working downtown. We have had no success in finding space at a price which would allow us to keep our prices affordable to lower and middle income workers.

Both the state and the city have taken an active role in increasing the supply of child care. We feel strongly that in order for business to grow and develop downtown, the business sector must assume more responsibility for a sufficient supply of affordable and available child care.

The Greater Boston YMCA urges your strong support for the child care provisions in the Midtown Cultural District Plan.

Sincerely,



Nancy Kruger, Vice President

cc: Kristen McCormack, Director
Bruce Rossley, Commissioner, Office of Arts and Humanities
R. Bruce Taylor, Executive Vice President, G.B. YMCA
William Moy, Chairman, South Cove Neighborhood Council



DANCE UMBRELLA

380 Green Street
Cambridge, MA 02139
(617) 492-7578

December 8, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
City Hall
Boston, Massachusetts

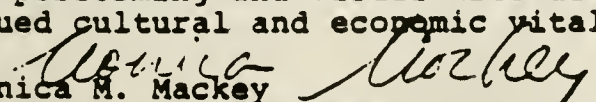
Dear Mr. Farrell:

My name is Monica Mackey, and I am director of Development and Long Range Planning for Dance Umbrella, Boston, Inc, a non-profit organization. Dance Umbrella serves as the central information resource and advocacy agency for the dance community, representing over 80 member dance companies and choreographers. We are also the largest producer of dance in New England, and one of the most active dance presenters in the country.

As members of a cultural segment that has been severely affected by lack of performance space in
Dance Umbrella and the entire dance community are here today to salute the Cultural District Task Force for its important and far-sighted work on the Midtown Cultural District Plan. We have been active participants in the planning process since it began, four years ago, and have been impressed by the Task Force's commitment to community input.

As members of the cultural community directly affected by the planning, we have been involved and informed every step of the process. Dance Umbrella's Executive Director, Jeremy Alliger, has served on the subcommittee overseeing the rigorous review of plans for the Paramount Theater. The planning process has been a very open one, in that every suggestion made by the dance community has been considered, and incorporated where ever possible.

The end result - the Midtown Cultural District Plan - reflects four years of planning by the entire cultural community. The implications for cultural growth are momentous: finally, Boston will have a performing and visual arts district necessary to support the continued cultural and economic vitality of the city.


Monica M. Mackey

Director of Development and Long Range Planning
Dance Umbrella, Boston, Inc.

VUSUMUZI MADONA

Sculptor

791 Tremont St., Boston, MA 02118

Studio W212

Business (617)

Robert Farrell
Chairman
Board of Directors
Boston Redevelopment Authority
City Hall
Boston, MA 02201

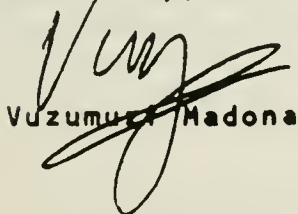
Dear Mr. Farrell,

On December 8th, at the BRA Board of Directors meeting on the Midtown Cultural District, I testified in favor of the initiative. I have been a sculptor in Boston for the past 10 years, participating in many of the events and projects that contribute to the city's cultural life.

I firmly believe that the creation of the Cultural District will have a significant and positive impact on my ability to make and show my work in Boston. Although the exact nature of the visual arts components of the District are still be formed, I am convinced that my concerns will be heard regarding the exact details of our inclusion.

I look forward to continuing to work on the process and urge you to vote favorably in support of the proposed zoning as it is before you now.

Sincerely,



Vuzumusi Madona



MICHAEL J. MCCORMACK

Boston City Council

NEW CITY HALL
ONE CITY HALL SQUARE
BOSTON, MASSACHUSETTS 02201

725-3115

December 8, 1988

Robert L. Farrell, Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

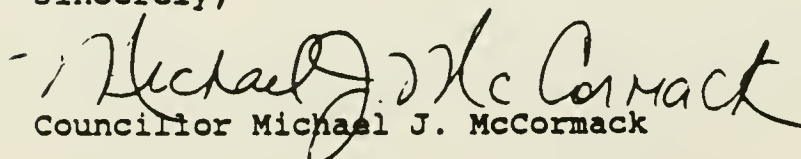
Dear Chairman Farrell and Members of the Board:

I am writing to express my support for the Midtown Cultural District Plan. The Plan is truly a product of the community-based planning process, and deserves your support.

This plan holds the promise of Midtown's revitalization. As the intersection of Chinatown and the Cultural District, Downtown Crossing and the Boston Common, Midtown is ready to re-emerge as the center of Boston, a neighborhood for all the neighborhoods. The Midtown Cultural District Plan is the means to accomplish the goals of creating new theatres, rehabilitating historic Boston and expanding Chinatown.

Your consideration of the Plan today is another milestone in achieving a community-based master plan for Boston. This unique plan will achieve the vision all residents of Boston have for their city.

Sincerely,


Councillor Michael J. McCormack



Boston City Council

Thomas M. Menino
District 5
725-3510

Statement of City Councillor Thomas Menino to the Board of
Directors of the Boston Redevelopment Authority
Midtown Cultural District
8 December 1988

Mr. Chairman and members of the Board, thank you for providing this opportunity for me to express my support for the Midtown Cultural District zoning proposal before you today.

Since the early days of our Republic -- when Allston, Copley, and Stuart graced this City with their art -- Boston has been a vital and unique center for the diverse American Culture. Today, you have the rare opportunity to reaffirm the 200 year history of the center of Boston as the City's arts neighborhood.

As a District Councillor, I want to stress the importance of the Midtown Cultural District to my constituents in Hyde Park and Roslindale. All of us realize that the unique character of Boston's residential, commercial, and academic areas -- such as the medical area, and the ethnic neighborhoods like the North End and Chinatown -- enrich the quality of life for the City as a whole. It is important in this context to assure that Bostonians from all cultural backgrounds have access to affordable arts programming, and that our resident arts community has appropriate facilities in which to perform and exhibit their art. The Midtown Cultural District will serve as the arts core for the City, sharing arts programming with every Boston neighborhood.

You will hear very convincing testimony today regarding the profoundly positive economic impact of the arts in our City. In spite of the severe shortage of facilities in Boston,

Testimony of Councillor Thomas Menino
BRA Board Meeting
8 December 1988
Page two

our non-profit cultural industry returns dollars to the City's economy at a rate close to three times that of professional and college sports combined. It is vital that we support our cultural resources with the same fervor that we protect all the other precious resources -- economic, environmental, and human resources -- that make Boston such a special place in which to live and work.

Thank you.



Mayor's Office of Consumer
Affairs and Licensing

December 8, 1988

Boston City Hall
Room 613
Boston, MA 02201

Diane J. Modica
Commissioner

Mr. Robert L. Farrell, Chairman of the Board
Boston Redevelopment Authority
Ninth Floor
Boston City Hall
Boston, MA 02201

Dear Mr. Farrell:

As the Commissioner of the Mayor's Office of Consumer Affairs and Licensing, it is my duty to examine the public safety implications of all applications for entertainment in the City of Boston, and, when necessary, to mandate modifications of those applications in order to minimize potentially negative impacts on the neighborhoods where these premises wish to locate. The issues that I must examine when considering whether or not to grant an entertainment license are the impacts of pedestrian and vehicular traffic, parking, noise, and the potential for illegal or disruptive conduct in and around a licensed premises. The venue for considering these issues is a public hearing; an integral component of the public hearing process is the opportunity for residents of the potentially impacted neighborhood to be heard.

With that in mind, I would like to state for the record that I am pleased to see the amount of public input that the City of Boston and the Midtown/Cultural District Task Force has solicited in planning and creating the Midtown/Cultural District Plan. It would appear that those who have been charged with creating this new district have dealt affirmatively with many of the same issues I must consider on a regular basis.

Raymond I. Flynn, Mayor

Mr. Robert L. Farrell
Page Two

The concentration of cultural facilities in this area, and the availability of transportation options will help address a frequent public safety issue raised during application hearings, which is: how do people get to the facility and depart with the minimum traffic impacts. With regard to pedestrian and vehicular traffic, the Midtown/Cultural District's proximity to all four of the MBTA's rapid transit lines speaks well for reducing vehicular traffic in this section of the city. Foot traffic should easily flow to and from these transportation lines, allowing easy access to housing, office, retail, and cultural attractions from all points in Boston. The Midtown Transportation Management Association's plan to balance the use of existing parking facilities, available public transportation, and pedestrian paths and thoroughfares, demonstrates a sensitivity to Boston's need for high-volume transportation options through a densely developed part of the city.

The proposed development of an additional 800 units of housing as part of the Midtown/Cultural District, and the formation of the Chinatown Community Plan insures that the residents of Chinatown will continue to have a forum to air their commercial and residential concerns during the development of the Midtown/Cultural District.

Members of the Midtown/Cultural District Task Force have, on occasion, appeared before the Mayor's Licensing Division to comment during public hearings. They are aware that I take seriously the potential for illegal and disruptive conduct in and around all premises licensed for entertainment in Boston. I welcome their participation in working with potential licensees in the Midtown/Cultural District to address some of the potential impacts that may arise from the operation of an entertainment establishment.

I cannot, and would not, suggest that the Midtown/Cultural District or the

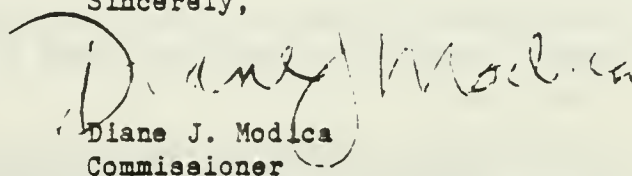
Mr. Robert L. Farrell

Page Three

various task forces being formed to help bring it about, will cause me to lessen my efforts on behalf of Mayor Flynn and the people of Boston to monitor and regulate entertainment with an eye to public safety concerns. I can, however, reiterate my support for the obvious planning and attention to the issues which concern my Department, and I can offer my wishes for a successful execution of the much-needed developmental initiative, which holds much promise for all Bostonians.

Thank you for your time.

Sincerely,


Diane J. Modica
Commissioner

DJM:smm

Building and Construction Trades Council of the Metropolitan District

AFFILIATED TO THE

BUILDING AND CONSTRUCTION TRADES DEPARTMENT

AFL-CIO

TERRITORIAL JURISDICTION

Arlington, Boston, Belmont, Brookline, Burlington, Cambridge, Canton, Chelsea, Dedham, Everett, Malden, Medford, Melrose, Milton, Norwood, Reading, Revere, Somerville, Stoneham, Wakefield, Westwood, Winthrop, Winchester, Woburn, and the Islands of Boston Harbor

TELEPHONE
617 - 282-0080

645 MORRISSEY BOULEVARD
SUITE 2
BOSTON, MA 02112

Boston Redevelopment Authority
Stephen Coyle, Director
One City Hall Square
Boston, Ma 02201

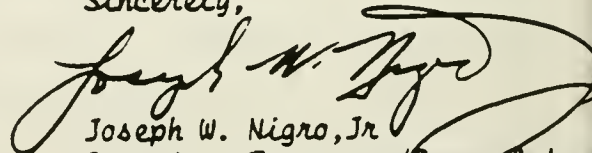
December 8, 1971

Dear Sirs:

The Boston Building Trades Council would like to go on record in support of the proposed zoning changes for the Midtown Cultural District.

The zoning changes allow continued investment by large developers in this area and also protects the interest of our friends in the immediate area who protect the common and historic areas of our city.

Sincerely,



Joseph W. Nigro, Jr.
Secretary Treasurer/General Agent
Boston Building Trades Council

JWN/ms

PRESIDENT
STEPHEN F. LYNCH
FINANCIAL SECRETARY-TREASURER
PAUL J. DIPIETRO

BUSINESS AGENTS
ROBERT E. BANKS
THOMAS E. BRODERICK
PATRICK J. CATALANO
ORGANIZER
GEORGE OLIVAR

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL AND ORNAMENTAL IRON WORKERS

Local 7

A.F.L. - C.I.O.

35 TRAVIS STREET, P. O. BOX 210 • ALLSTON, MASSACHUSETTS 02134 • TELEPHONE 617 • 254 • 7542 / 254 • 7543

12-8-88

To Whom It May Concern:

The Officers and members of Ironworkers Local 7 of Boston, Massachusetts are in complete agreement with the Boston Development Authority Midtown Cultural Plan.

We endorse this plan because it protects our city and it's heritage and also keeps the economic vitality of Boston thriving by creating jobs for the people of Massachusetts.

Sincerely,

The Officers and Members of Local 7



OFFICE OF THE ARTS AND HUMANITIES

BOSTON ART COMMISSION

Boston City Hall — Room 803
Boston, Massachusetts 02201
617-725-3245

RAYMOND L. FLYNN
MAYOR

BRUCE P. ROSSLEY
COMMISSIONER

COMMISSIONER ROSSLEY'S STATEMENT

BOSTON REDEVELOPMENT AUTHORITY

BOARD OF DIRECTORS MEETING

8 December 1988

CHAIRMAN FARRELL, MEMBERS OF THE BOARD, MY NAME IS BRUCE ROSSLEY. I AM COMMISSIONER OF THE OFFICE OF THE ARTS AND HUMANITIES FOR THE CITY OF BOSTON. I AM SPEAKING TO YOU TODAY ON BEHALF OF BOSTON'S ARTS COMMUNITY IN SUPPORT OF THE PROPOSED ZONING YOU HAVE RECEIVED TODAY FOR THE MIDTOWN CULTURAL DISTRICT.

THIS ZONING AND THE PLAN WHICH UNDERLIES IT REPRESENT THE BOSTON ARTS COMMUNITY'S BELIEF IN ITSELF, ITS FUTURE AND ITS CITY. AFTER STRUGGLING FOR SEVERAL YEARS AGAINST THE THREAT OF EXTINCTION, THIS COMMUNITY DETERMINED TO SAVE ITSELF AND, IN THE PROCESS, TO PRESERVE ONE OF THE ATTRIBUTES THAT HAS MADE BOSTON ONE OF THE NATION'S MOST LIVEABLE CITIES.

WHAT MAKES A LIVEABLE CITY? AS MUCH AS ANYTHING ELSE, IT IS

THE ABILITY OF ALL OF ITS CITIZENS TO ACTIVELY PARTICIPATE IN THAT CITY'S CULTURAL LIFE. IN BOSTON, WE HAVE 16,000 ARTISTS WORKING DAILY TO ENSURE THAT EXPERIENCE FOR OUR CITIZENS. IN 1986, THE NON-PROFIT ARTS INDUSTRY ~~WAS~~ WAS THE FOURTH LARGEST EMPLOYER IN THE CITY, CONTRIBUTING \$500,000,000 TO THE CITY'S ECONOMY. IN THAT YEAR 3.4 MILLION PEOPLE ATTENDED PROFESSIONAL SPORTS EVENTS IN BOSTON. COMPARE THAT TO THE 7.6 MILLION WHO ATTENDED NON-PROFIT CULTURAL EVENTS. AND YET FOR THE LAST FOUR YEARS, IT IS THAT COMMUNITY OF ARTISTS WHICH HAS HAD TO ASSUME THE ADDITIONAL BURDEN OF ENSURING ITS OWN SURVIVAL. THIS ZONING REPRESENTS THEIR DETERMINATION TO, IN FAULKNER'S WORDS "NOT ONLY SURVIVE BUT TO ENDURE".

WHAT HAVE WE GAINED FROM THEIR EFFORTS? AND WHAT WILL BE THEIR ENDURING LEGACY? TODAY, WE HAVE GAINED A ZONING PROPOSAL WHICH WILL PROTECT A SPECIFIC AREA OF THE CITY FOR ^{PROTECTIBLE} CULTURAL USE.

THIS ZONING SUPPORTS A PLAN FOR A MIDTOWN CULTURAL DISTRICT WHICH DEFINES CULTURE IN ITS BROADEST SENSE. ITS LEGACY WILL BE EVIDENT AT THE POINT AT WHICH IT IS POSSIBLE FOR BOSTONIANS FROM ALL NEIGHBORHOODS TO WALK THROUGH THE DISTRICT AND, WITHOUT PURCHASING ANYTHING, ENJOY A WEALTH OF CULTURAL EXPERIENCE SOME OF WHICH WILL BE NEW, SOME FAMILIAR, SOME CHALLENGING, SOME INSPIRING AND FEEL A PART OF MUCH THAT THEY SEE.

THAT LEGACY IS BEING DEFINED NOW, BY THE BROADLY-BASED GROUP

WHICH MAKES UP THE MIDTOWN CULTURAL DISTRICT TASK FORCE. THIS HEARING TODAY MARKS, NOT THE END OF THE TASK FORCE'S JOURNEY, BUT ONLY A WAY-STATION. MUCH HAS BEEN ACCOMPLISHED. THE VISION IS THEIR VISION. IT HAS BEEN DEFINED BY TWO ARTS SPACE SURVEYS (WITH TWO MORE IN THE WORKS), AND HAS BEEN REFINED BY THE INDIVIDUAL VOICES WHICH HAVE BEEN RAISED THROUGHOUT THIS PROCESS. THERE IS MUCH MORE TO DO. AND, AS HAS BEEN THE HISTORY OF THIS PROJECT SO FAR, THAT WORK WILL CONTINUE TO BE DONE BY BOSTON'S CITIZENS, SPEAKING ON BEHALF OF THEMSELVES AND THEIR COMMUNITIES.

I URGE YOU TODAY TO SUPPORT THE ZONING THAT HAS BEEN PUT BEFORE YOU TO CREATE A MIDTOWN CULTURAL DISTRICT THAT WILL PRESERVE THE AFFORDABLE ARTS FOR ALL BOSTONIANS. THAT HAS ALWAYS BEEN THE GOAL OF THIS PLAN. IT IS A MANDATE WE MUST EMBRACE AND MOVE FORWARD.

COMMONWEALTH CENTER

A Joint Venture of FD Rich of Boston and A W Perry

29 Summer Street

Boston MA 02110

617 337-8300

December 8, 1988

Mr. Robert L. Farrell
Chairman
Boston Redevelopment Authority
One City Hall Square
Boston, Massachusetts 02108

Dear Mr. Farrell:

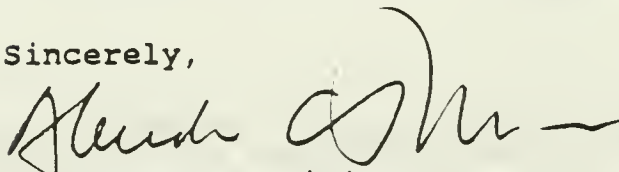
As developers of the Commonwealth Center project in the Midtown Cultural District, we support the Midtown Cultural District Zoning Plan. We feel the Midtown Cultural District Plan provides an impressive and creative approach to balancing the needs of a diverse constituency within the District. It promotes housing, while preserving significant historic buildings and street patterns. It creates new cultural facilities and protects the Boston Common. It extends the Downtown Crossing and links the Back Bay and Financial Districts. It provides for childcare and respects the needs and concerns of local residents. It recognizes the City's need to accommodate balanced growth and the District's need for revitalization through development. It truly balances the needs of all the District's constituencies.

As active participants in the revitalization of this important area of the City, we have worked almost two years with the local community and civic interest groups to evolve a masterplan for Commonwealth Center which is sensitive to community concerns, fulfills the goals of the Midtown Cultural District Plan and which will be the physical and economic cornerstone of the new District. This masterplan embodies the visions of many parties, from local artists and performing arts organizations to historic preservation groups, Friends of the Boston Common, local businesses and merchants, and area residents.

Mr. Robert L. Farrell
December 8, 1988
Page Two

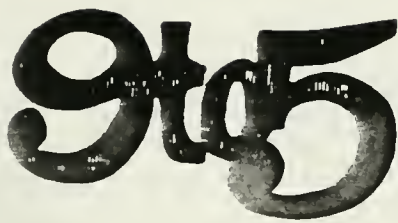
We would like to commend the efforts of the Boston Redevelopment Authority in conducting one of the most extensive community planning processes in the history of Boston. We would also like to thank all of the people who have participated in planning Commonwealth Center. We hope you will share in our vision and the visions of the many people who have worked to shape the Midtown Plan by moving forward with the new zoning presented to you today. We look forward to working with the City and the Midtown Cultural District Task Force to refine the proposed zoning. We will be providing the Authority with specific technical questions and suggestions during the comment period. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alex Twining", followed by a horizontal line.

Alexander C. Twining
Senior Vice President
F. D. Rich Company of Boston

ACT/msa



Organization for Women Office Workers

145 Tremont St. Room 402, Boston, MA 02111

348-2970

Testimony of Barbara White
RE: On-site Daycare in Downtown Development
BRA Board Meeting
December 8, 1988

Good afternoon. My name is Barbara White, and I am a member of 9to5, Organization of Women Office Workers. I would like to thank you for this opportunity speak on the issue of onsite daycare in the downtown area.

Onsite daycare in the downtown area provides solutions to many problems. At a time when businesses are screaming about the lack of qualified workers, the availability of onsite daycare will bring more workers to the downtown area. At a time when mothers cannot go to work because they cannot get their children to a daycare site in another part of the city, and then get to work on time, onsite daycare eliminates a large part of this excess commuting time. And, at a time when working mothers are emotionally torn about leaving their children in a daycare site far away from them, and spend part of their workday worrying about their children, worrying about how they would reach them if an emergency arouse, onsite daycare would provide peace of mind for these parents. And, a worker who is not distracted by such heavy concerns is a much more productive worker.

At 9to5, we get calls from women who cannot afford to go to work, to get off public assistance, because they cannot find daycare for their children, either near their homes or their potential worksites. Onsite daycare would enable these women to become a viable part of the workplace, regain their self-respect, and contribute to society.

Unfortunately, it seems that developers are more concerned with providing adequate parking and adequate views for their future tenants than they are in providing adequate daycare for the employees of these tenants.

Mayor Flynn and the BRA are to be commended for their awareness of and sensitivity to the issues facing working women and their families today. Their commitment to finding solutions to the problems of a lack of affordable and available daycare sites in Boston should be an inspiration to the private sector.

Mayor Flynn has shown his commitment by planning an onsite daycare facility in City Hall. Now, it is time for the private sector to do the same.

On behalf of the members and constituents of 9to5, I urge you to approve these proposed zoning changes which would provide onsite daycare in the downtown area.

BOSTON PUBLIC SCHOOLS



SUPERINTENDENT OF SCHOOLS
LAUREL S. WILSON

December 8, 1988

Chairman
Members of the Board
Boston Redevelopment Authority
Boston City Hall
Boston, Massachusetts 02201

Dear Mr. Chairman and Members of the Board,

It is my great honor to represent the City of Boston's youngest residents in expressing deep, heartfelt support and enthusiasm for the Midtown Cultural District Zoning Plan.

This inspired plan will provide our children with the chance to participate in a major restoration, renovation, and rejuvenation of their city's cultural heart and soul.

Every citizen, every family, will be enriched and rewarded by living, learning, and working in a city that sustains and nourishes its contemporary artists while it revives and reactivates the integrity and value of its cultural history.

I dare not presume to speak with technical authority on the plan's elements of urban design, architecture, or financial and business initiatives.

I am not an architect, an urban planner, or a historian.

I am an educator.

The Midtown Cultural District Zoning Plan epitomizes the unique, essential role of the arts in education ----

teaching students humanity's celebration of itself

...civilization's cultural heritage.

The plan's complementary emphases on building a new neighborhood restoring its cultural district, and preserving its historic Chinatown neighborhood perfectly match the following statement by Frank Hodsoll, Chairman of the National Endowment for the Arts:

"The first purpose of arts education is to give our young people a sense of civilization. American civilization includes many cultures—from Europe, Africa, the Far East, and our own hemisphere. The great works of art of these parent civilizations, and of our own, provide the guideposts to cultural literacy. Knowing them, our young people will be better able to understand; and, therefore, build on, the achievements of the past; they will also be better able to understand themselves."

Accordingly, I have joined Bruce Rossley, Commissioner of the City's Office of Arts and Humanities, in planning the City of Boston's first Public School of Visual and Performing Arts. This new arts school will headquarter its students in a traditional school building but will also conduct courses and classes in a subsystem of cultural institutions within the jurisdiction of the Midtown Cultural District. This unprecedented collaborative subsystem will establish an overnight national standard for an arts school's off-site-campus use of its city's cultural institutions.

We are convinced that this school will share the Midtown Cultural District's mission of spreading the arts' great gifts of hope, illumination, spirit, and celebration to every child, woman, and man in this great city of Boston.

With sincere gratitude and good wishes,



Laval S. Wilson,
Superintendent
Boston Public Schools

METROPOLITAN BOSTON CHILD CARE NETWORK

December 19, 1988

Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

To whom it may concern:

I am writing on behalf of the Metro Boston Child Care Network to support the child-care provision of the proposed Midtown Cultural District Plan and accompanying zoning regulations.

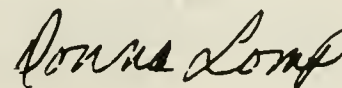
Child care is crucial to the economic success of the plan. Without adequate child care, parents are unable to work. With the city and state unemployment rate so low, child care will increase the availability of workers. Over 40% of the mothers in this state who are currently unemployed report that they would look for work if reasonably-priced child care were available. Companies which invest in child care have greater success finding and keeping workers.

Businesses benefit in numerous ways by providing on- or near-site child care. Studies have shown that employee productivity goes up and absenteeism goes down when child care is provided. It also has a positive impact on employee morale.

The funding for child care should come from numerous sources including the state, developers, business, municipalities, philanthropy, and parents. A partnership between these sectors must be designed. The financial burden for good, quality child care is too great to place on one or a few of these sectors. It's about time that business and developers carry their fair share of the financial responsibilities. After all, they are the ones who benefit most from an expanded labor force; a labor force that couldn't exist without child care for working parents.

Child care is everybody's business. Lets insure that business and developers do their part to help working parents with their child-care needs. By implementing the child-care piece of the Midtown plan, the BRA will assure working parents of adequate child care for their youngsters. Thank you.

For the Network,


Donna Lomp, Co-Chair

Artists Foundation

Eight Park Plaza
Boston, MA 02116
617 227-ARTS

December 27, 1988

Mr. Robert Farrell
Chairman
Boston Redevelopment Authority
Boston City Hall - 9th Floor
Boston, MA 02201

Dear Mr. Farrell:

I am writing in support of the proposed Midtown Cultural District Plan, especially the cultural components.

Hundreds of Boston cultural groups and thousands of Boston artists are giving input through formal surveys and dozens of well publicized open meetings over a period of years.

Their dreams and desires are reflected in the zoning proposal and the related plan.

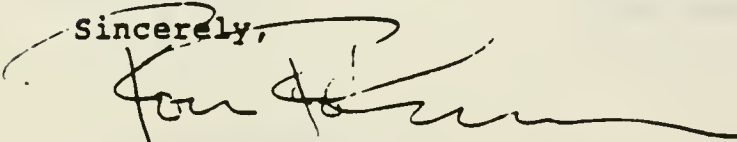
So many of Boston's own fine theatre, dance, music and other performing groups and visual artists currently don't have a place to perform or show their work in their own city.

The development of theatres and galleries and other facilities in the Cultural District will enliven the Midtown area and will enable Boston performing and visual artists to share their work with their fellow Bostonians.

There will be free and low cost performance and exhibits of every type.

Through the development of the Midtown Cultural District according to this plan Boston residents will truly be able to celebrate their multiracial cultures.

Sincerely,



Ron P. Rothman
Executive Director, Artists Foundation
Vice Chairman, Midtown Cultural District Task Force

rpr/tj
cc: L. Murray, B. Rossley

ART OF BLACK DANCE AND MUSIC INC.®

Multicultural Arts Education Programs and Performances



Founder Director
De Ama Battle
617 666-1859

P.O. Box 362
West Somerville,
MA 02144

December 28, 1988

Mr. Robert Farrell
Boston Redevelopment Authority
CityHall - Boston - 9th Fl.
Boston, Ma. 02201

Dear Mr. Farrell:

This is in regard to my verbal testimony on behalf of
The B.R.A.'s development program for the Downtown Cultural
Center.

It is absolutely essential that people of color be involved
in this development project from the planning stages to the
tiniest person who walks, or dances, across the stage.

The common wealth of Boston's diverse communities can only
demand that this be a true representation of the cultural
art forms with all of their commonalities and unique charac-
teristics.

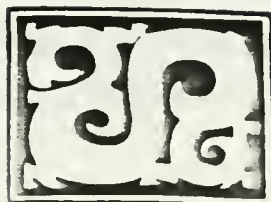
It is a proven fact that the level of respect given to each
other when racial and cultural backgrounds are shared and
understood is many times greater than in segregated situations.
It not only provides a healthier atmosphere for people to learn
and grow in but more is accomplished in terms of community
growth.

Sincerely,

A.B.D.M., INC.

De Ama Battle, Director





December 28, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
9th Floor, Boston City Hall
Boston, MA 02201

Dear Mr. Farrell:

I am Doris C.J. Chu, Ph.D., President and Curator of the Chinese Culture Institute at 276 Tremont Street, Boston. I am writing to support the Midtown Cultural District plan. In the past eight years since I received my Ph.D. degree and established the Chinese Culture Institute, I have been deeply involved in cultural work--introducing arts of Asia to Boston's audience, promoting Asian American artists, producing Chinese drama, music and dance, presenting performing groups from Asian and etc. I believe what we do greatly enrich Boston's already exciting cultural offerings. The Chinese Culture Institute is fortunate to have the headquarters through the generosity of Dr. Jerome Grossman and the New England Medical Center. Our gallery mounts six to eight extremely high quality art exhibitions each year. Before we established our gallery, there was no place to show Asian art. As much as we would like to give local Asian artists ample opportunities to expose their work to the public we can only do so much because of the number of shows we mount in a year is limited so as to give each maximum exposure. There are many local Asian artists wishing to have shows. The fact that we are committed to informing the Boston audience of trends and movements in Asian art we must reserve a good portion of our exhibiting time for that. Therefore, the Asian visual artists community needs additional exhibiting place.

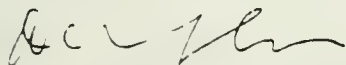
I was often confronted with severe problems of finding a theatre or auditorium in Boston for our performing arts activities. Often times I have to go outside of Boston. Kresge Auditorium of MIT and Sanders Theatre of Harvard University have been used by us frequently. There are many Asian dance groups including Chinese Culture Institute's Performing Arts Troupe which can never find a place to perform in Boston. CCI's performers are fortunate to have a place, CCI's art gallery, to rehearse. Other groups are not so fortunate and we regret that our space is often not available because we also use that for lectures, classes and so forth. At a time when many non-Asian performing groups have been displaced it seems overly wishful to ask for a home for Asian American performers. However, I seriously think the needs of local groups for rehearsal and performing spaces should be addressed.

The Asian community is a sizable one. Each of the sub-groups, Chinese, Japanese, Korean, Vietnamese and so forth has a rich culture that is an invaluable asset to our city. Boston should cherish them and provide a fertile ground for their growth.

As for the possible traffic problem resulting from the new pulsating Cultural

District, I have a suggestion that may merit some consideration. How about finding some land outside the District to build highrise parking garages and provide shuttle buses from the garages to the District. The people in the new office buildings would prefer parking outside the District, I think, than being stuck in the traffic. The theatre goers, gallery visitors will be happy to park in those garages than coming to the District and not be able to get rid of their cars. This would even improve the current traffic situation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Doris C.J. Chu', with a stylized, flowing script.

(Dr.) Doris C.J. Chu
President/Curator



BACON-CONCANNON ASSOCIATES
9 Fairfield Street, Boston, Massachusetts, 02116
Telephone (617) 536-1448
Smoki Bacon Richard F. Concannon

Mr. Robert Farrell

December 29, 1988

Boston Redevelopment Authority
Boston City Hall
Boston MA 02201

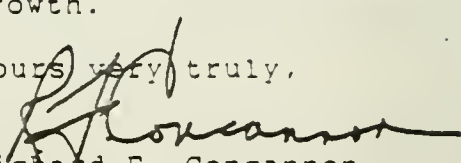
Dear Sir,

As chairman of the task force committee on Transportation and Parking, I strongly endorse the plan as submitted

The task of matching the transportation needs to the developments in the district will be prime undertaking of this committee.

We support the work of the task force and appreciate the authority's unique solution to urban growth.

Yours very truly,


Richard F. Concannon
Chairman of Transportation
and Parking

Midtown Cultural District Task

A.W.PERRY, INC.
REALTORS SINCE 1884

December 29, 1988

Robert L. Farrell, Chairman
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02110

Re: Midtown Cultural District Zoning Plan,
Article 38 Boston Zoning Code

Dear Chairman Farrell:

A. W. Perry, Inc., I believe, is the only real estate company with ownership interests in each of the new zoning types represented in the Midtown Cultural District Zoning Plan. As a long term landowner in this area, we are pleased to comment on the proposed Article 38 of the Boston Zoning Code. As a member of the Citizen Advisory Committee for this area, we have participated in the rigorous exercises which created this plan.

The Midtown Cultural District Zoning Plan creates a vision for Boston's Cultural District. Article 38 of the Boston Zoning Code creates a road map for achieving that vision. By creating a process by which the many needs of the city can be balanced, the zoning proposal before you provides an opportunity to reshape Boston's last downtown blighted area, to enhance all of the neighborhoods surrounding the Midtown, and to accomplish these goals by utilizing the "window of opportunity" presented by the current real estate market.

Although our company's interests in Planned Development Area 2 reflect two years of analysis and discussions with many, many public and community interests, our properties in the Protection Area and "As-Of-Right" 125-155 foot zones will also benefit by having more consistent, more clear zoning applicable to them in the context of a rejuvenated Cultural District. Other comments will be submitted on behalf of the Commonwealth Center development team, and I will limit these comments to more generic support of the new zoning and the process which has created it.

In stark contrast to prior decades, in which private investment for jobs, real estate taxes and other benefits had to be encouraged by public expenditures, Article 38 achieves urban planning design objectives by harnessing private development initiatives to achieve a panoply of specific public benefits.

The essence of the Midtown Cultural District is the creation by the Authority of a mechanism where financial opportunity in downtown Boston is focused on the area where the City can best accommodate downtown growth in the next decade, while requiring the developers provide the resources for cultural, housing, employment, daycare and historic preservation benefits to the surrounding areas and the City as a whole. As long as the favorable economic climate for real estate development continues, this process may generate significant public benefits without requiring significant public expenditures.

In the five months since the Midtown Cultural District Plan was presented to you, hundreds of meetings have occurred among community groups, the Boston Redevelopment Authority, other local state public agencies, and those with property interests in the Cultural District. Hundreds of individuals have volunteered their time to create a balance among the many public interests within this area, and these people merit the gratitude of the City.

The public benefits which may flow within the Midtown Cultural District from private investment is limited by realities imposed from within and beyond Boston. The array of public benefits to be provided from the public benefit contribution must be decided within the public spotlight by scores of community groups, all of whom have been invited to participate in the planning for the Midtown Cultural District.

Virtually all of the public benefits accrue to more than one interest group. Housing and jobs linkage benefits all communities and assist Boston's most important resource: its people.

The cultural facilities to be created, and historic preservation undertaken, sustain those aspects of Boston which truly make it a "World Class City".

Daycare has risen as an important public need. Although daycare facilities are only a small portion of the comprehensive package of daycare solutions, the unique characteristics of the Midtown Cultural District make this area an appropriate laboratory for this public benefit.

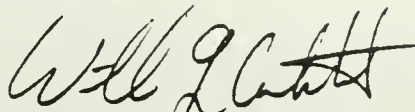
Improvements in traffic patterns, mass transit facilities, commuter timing patterns, and education programs may alleviate current and future transportation challenges. Childcare, a clean and safe Midtown, transportation improvements, additional real estate taxes, new and renovated cultural facilities, jobs and affordable housing all await the implementation of the Midtown Cultural District.

The private investment which will fuel these public benefits is available because of an economic window of opportunity. We urge you

to favorably consider the proposed zoning and to facilitate the process under which the Midtown Cultural District Plan may respond to all of our neighborhoods and become a reality.

Thank you for the opportunity to make these comments.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Will G. Constable', written in a cursive style.

William G. Constable
Vice President

WGC:jw

cc: Commissioner Bruce Rosseley
Boston Office of Arts and Humanities

JAMAICA PLAIN

Chamber Orchestra

PASCAL VAN HAEREN, Conductor
P.O. Box 1929, Jamaica Plain, MA 02130 277-6403

December 29, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
Boston City Hall 9th Floor
Boston, MA 02210

Dear Mr. Farrel;

As a member of the Midtown Cultural Task Force and a member of Boston's Art Community, I feel it is important that I show my support for the BRA's Midtown Zoning Proposal. I am not a booster by nature, and feel there are still areas that I'm not in total agreement (PDA II along Washington St. allows for too much height), but major changes would delay the Cultural District. Thus I feel the benefits to Boston's cultural life, and the resulting quality of life improvements for the area in general, stemming from the proposed zoning, far outweigh any downsides.

It is no secret that facilities for the performing arts, apart from those few large organizations such as the BSO and Boston Ballet, are few and far between. I have been attempting to bring a dance company, Kinematic, to Boston. They have recieved rave reviews in the New York Times, and were sold out for three shows at the Splash Festival, but the facilities (150-300 seats) I have been referred to are: an aerobics studio, a basement performing area in the Lechmere area, and a high school auditorium in Cambridge. All were inadequate for the company's minimal stage requirements, none were in Boston.

This is just one case among many that results in many performers leaving Boston and many exciting performers never coming to Boston. The Cultural District can provide two important benefits: performing spaces of varied sizes, and a

JAMAICA PLAIN

Chamber Orchestra

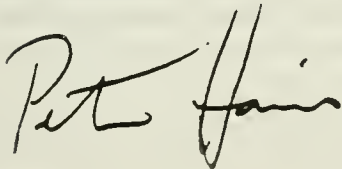
PASCAL VAN HAEREN, Conductor
P.O. Box 1929, Jamaica Plain, MA 02130 277-6403

mainstream area for performing arts that would attract a new audience to a variety of acts they would not feel comfortable ranging into obscure areas to see. Major cultural areas like New York have become too unlivable for many performers, the fact that the Actor's Enclave will be in residence at the Majestic shows what exciting things may happen with the creation of new spaces.

Of course, as executive director of the Jamaica Plain Symphony, I am also very interested in the renovation of the Modern. A reasonably sized concert hall would give our Orchestra an opportunity to perform for an audience that may not be familiar with the Jamaica Plain area. Our experience has been that once people hear the quality of our music they are surprised and, more often than not, become ardent supporters. So, an opportunity to perform downtown once or twice a year would be very valuable to us and, no doubt, to organizations in a similar position.

The key to this is the zoning, this is the foundation upon which the Arts Community must build, and the BRA's proposal seems to be a firm foundation indeed. I offer my support for its passage. Thank you for your time.

Sincerely,



Peter Harris
Executive Director
Jamaica Plain Symphony



arts and humanities

also serving science museums and environmental institutions

30 BOYLSTON STREET 10TH FLOOR BOSTON, MA 02116 517 727 3668

December 29, 1988

Mr. Robert Farrell, Chairman
Boston Redevelopment Authority
Boston City Hall, 9th Floor
Boston, MA 02201

Dear Mr. Farrell:

I am writing to express the Council on the Arts and Humanities' strong support of the Midtown Cultural District zoning plan which was presented to the BRA's board earlier this month. As the Commonwealth's major agency created to support arts and humanities activities in Massachusetts, we welcome the revitalization of Boston's midtown. Implementation of the Midtown Cultural Plan will help to solidify Boston's reputation as one of our nation's key cultural centers and will be viewed across the country as the product of enlightened leadership which appreciates the importance of the arts to the quality of life of our society.

As others have testified throughout the Cultural District planning process the dearth of rehearsal, performance and exhibition space in Boston has forced many performing and visual artists to move to other states in search of a more hospitable environment. The citizens of Massachusetts are all poorer as a result of this exodus. With the adoption of this plan, artists will once again find themselves welcome in this City.

The ten theaters which have been proposed are of critical importance. Performing groups which are presently unable to secure space will be able to work in theaters specifically designed to meet their needs. This in turn will allow them to grow organizationally and programmatically. Visual artists will have the spaces they need to present their work. And the public will find themselves entering a cultural wonderland, complete with theaters, galleries, public art, and arts-related businesses.

The Cultural District plan thoughtfully serves the cultural and business communities without negatively affecting the Chinatown community. In fact the inclusion of affordable housing and language training ensures that Chinatown will benefit and be fortified, and that all of us will have a true cultural district in every sense of the word.

I hope the BRA will adopt the plan. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Anne Hawley".
Anne Hawley
Executive Director



OFFICE OF CULTURE, ARTS AND HUMANITIES

BOSTON ARTS COMMISSION

Boston City Hall — Room 803

Boston, Massachusetts 02201

617-725-3245

RAYMOND L. FLYNN
MAYOR

BRUCE P. ROSSLEY
COMMISSIONER

29 December 1988

Robert Farrell, Chairman
Board of Directors
Boston Redevelopment Authority
City Hall
Boston, MA 02201

Dear Chairman Farrell:

The Midtown Cultural District plan is a statement of Boston's artists community belief in itself, its future and its city. After struggling for several years against the threat of possible extinction, this community determined to save itself and, in the process, to preserve one of the attributes that has made Boston one of the nation's most liveable cities.

This was not an easy victory. It required the arts community to put aside its small, individual visions to formulate and embrace one unified magnificent vision. It required levels of personal and institutional sacrifice and commitment well beyond the norm. It required reaching out to and adopting the needs and concerns of communities beyond their own. And, in the end, it required the creation of a new arts community which is a far cry from the original. It is culturally richer and more diverse, it recognizes the universal nature of so much that it strives for and as such has created something new and truly unique for Boston.

Little did Boston's artists know when they began this process four years ago that they would be creating a national and international model not only in the scope of the final vision but in the unique public process that has brought us to our current situation. The process involved two city-wide surveys of the arts community and, once complete, will involve two more. It involved the necessary creation of an independent city agency, dedicated to advocating for change from within. It involved developing an unprecedented level of sophistication and maturity in initiating and implementing complex solutions to overwhelming problems. It involved embracing the concerns of neighborhoods, developers, merchants, preservationists, social service agencies and institutions large and small to create the consensus that has created the District. It involved the arts community taking the lead in advocating for the concerns of Chinatown and in the creation of much needed housing and daycare facilities.

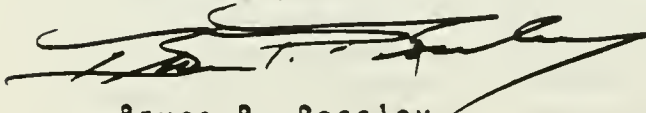
Robert Farrell
29 December 1988
Page two

The draft zoning you currently have under review represents the work and aspirations of Boston's arts community. Over the past year they have worked together to create and refine this document to the level it has now achieved. They and we feel that it truly represents the fruits of their labors.

The arts community is the fourth largest employer in the city. They provide \$500,000,000 annually to Boston's overall economy. They are the ones who make the affordable arts experience that makes the lives of all of the city's residents richer. They knew and they have made sure that we know that without them we lose a vital part of what makes Boston our city of choice. And, with them and their herculean effort we have a Midtown Cultural District which is already an inspiration to cities throughout the country and once complete will be the delight of our own residents and all who come to visit.

I urge you to adopt this zoning document as it now stands.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce P. Rossley", with a long, sweeping horizontal stroke extending to the right.

Bruce P. Rossley
Commissioner

BOSTON BANK OF COMMERCE

110 Tremont Street • Boston, MA 02108 • (617) 423-1010

WARREN E. SMITH
Executive Vice President and
Chief Operating Officer

December 29, 1988

Mr. Robert Farrell
Chairman of The Board
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Dear Chairman Farrell:

My name is Warren Smith and I am the Chair of the Trust & Funding Committee of the Midtown Cultural District Task Force. I am writing you in support of the Midtown Zoning Ordinance and Plan for this district.

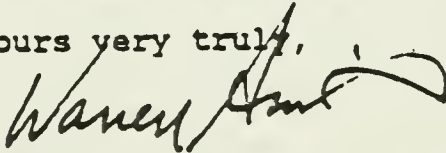
First, I would like to congratulate the city's planning agency and its staff for fine work. In addition, credit must also be given to the dedicated community organizations for their invaluable input and diligence to make this all possible.

I am so pleased that officials such as yourself and the Mayor of Boston believe in and support the community process for expediting important initiatives that will improve the quality of life in the city. Boston will be a greater city for having made this decision.

The Trust and Funding Committee of the Midtown Cultural Task Force is excited about its role within this new district. In anticipation of imminent approval, my Committee consisting of a diverse group of businesses, artists and community individuals have begun moving forward on establishing the corporate organization that will ultimately manage and operate the cultural facilities in the cultural district.

We believe the ordinance and plan will enhance the cultural activities of Boston. It will provide an opportunity for a diverse groups in Boston's neighborhood to perform their artistic talents in downtown theaters, providing great exposure for their performances. This plan also recognizes the importance of arts to this city and your Board vote can continue the progress in the Midtown Cultural District. We must maintain Boston's image as a world-class city supportive of arts and culture; an example to other cities internationally.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Warren E. Smith", with a stylized flourish at the end.

Warren E. Smith
Executive Vice President
& Chief Operating Officer

WES/jld

cc: Larry Murray, Arts Boston
Steven Coyle, BRA
Christian McCormick, BRA
Bruce Rossley, Arts & Humanities
Katherine Royce, Arts & Humanities

StageSource

New England's Theatre Resource Center

December 29, 1988

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
9th Floor
Boston City Hall
Boston, MA 02201

Dear Mr. Farrell:

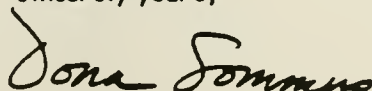
As Chairman of the Cultural Facilities Committee of the Midtown Cultural District Task Force, I am writing to express my support of the Midtown Cultural District Plan and accompanying zoning amendments.

In the position of Committee Chairman, I have had the opportunity during the past eighteen months to work as a liaison between the arts community and the Boston Redevelopment Authority and the Office of Arts and Humanities, helping to shape the Midtown Cultural District Plan and zoning documents. The active participation of the arts community in that process, coupled with the supportive expertise of both the BRA and OAH has resulted in a plan for the revitalization of Midtown which will add immeasurably to the cultural vitality of the City of Boston.

As Executive Director of StageSource and ex officio representative of the Boston Resident Theatre Alliance and The Boston Actors' Equity Liaison Committee, I would like to emphasize that the performing arts community of individual artists and non-profit performing arts companies is facing a crisis. The lack of affordable and appropriate performance and rehearsal facilities in Boston is a major impediment to the growth of our arts community. The facilities that will be created as a result of the Midtown Cultural District Plan will provide the bricks and mortar structures to house the expression of that artistic and economic growth. Without these facilities, the vitality and potential of the arts community we see today will of necessity either be siphoned off to other more hospitable locals outside of Boston, or will simply atrophy from lack of expression.

I urge you to adopt the Midtown Cultural District Plan and accompanying zoning amendments and provide the framework for Boston to address this crisis. I look forward to continuing to work with all segments of the community in the creation of this new mixed-use neighborhood as Boston's cultural center.

Sincerely yours,



Dona Sommers
Executive Director

cc: ☒ Mr. Stephen Coyle, Boston Redevelopment Authority
Mr. Bruce Rossley, Office of Arts & Humanities
Mr. Lawrence Murray, Cultural District Task Force



December 29, 1988

Mr. Robert Farrell, Chairman
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

RE: Proposed Midtown Cultural District Zoning

Dear Mr. Farrell:

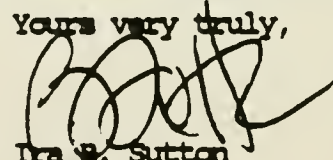
I am writing to express my support for the proposed Midtown Cultural District Zoning.

As the owner of a new nightclub, the Hub Club, located on lower Washington Street, it is encouraging to see that the City is working in partnership with the communities and developers to achieve the goals of the Midtown plan.

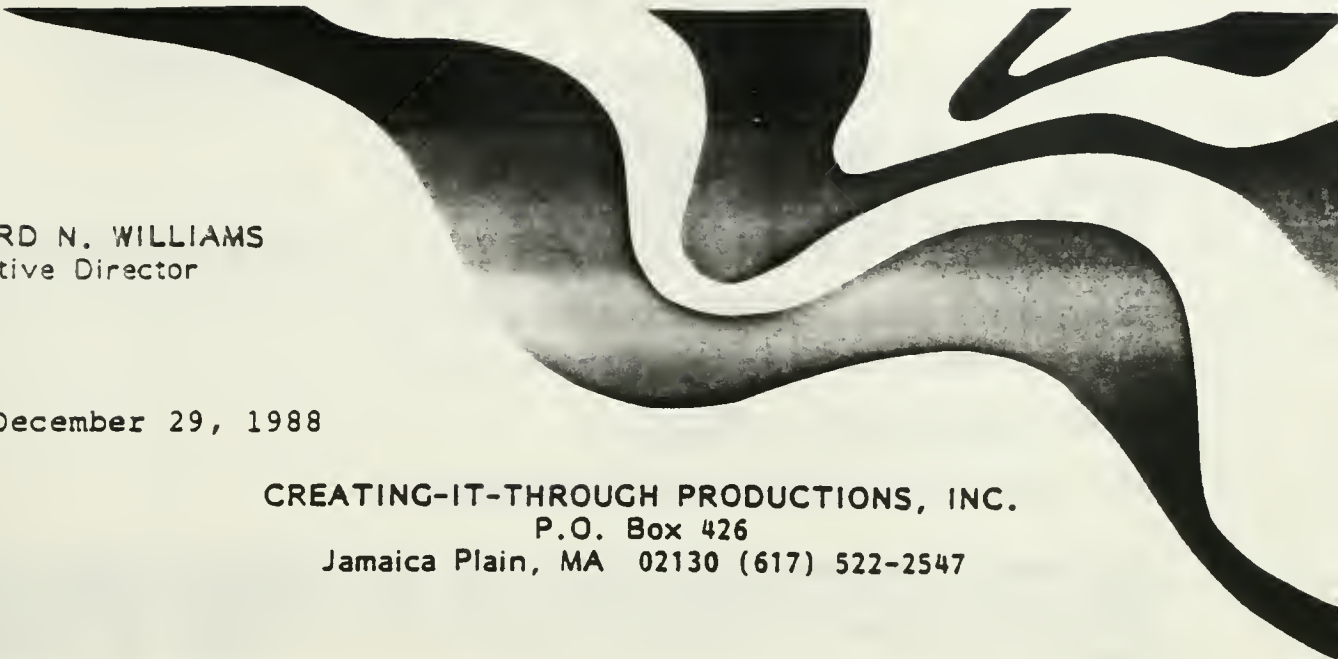
I strongly believe that proposed development plans for the area, specifically, Campeau's Boston Crossing project, will bring back the vitality that is currently missing from the Midtown area. The Boston Crossing project will bring a lively population to the area that will patronize our nightclubs, theatres, restaurants and additional cultural activities.

For these goals to be achieved, it is important that the zoning be flexible in design controls to allow for such visionary projects as Boston Crossing to be realized.

Yours very truly,


Ira B. Sutton
President

IBS/ar



EDWARD N. WILLIAMS
Executive Director

December 29, 1988

CREATING-IT-THROUGH PRODUCTIONS, INC.
P.O. Box 426
Jamaica Plain, MA 02130 (617) 522-2547

Mr. Robert Farrell
Chairman of the Board
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Dear Mr. Farrell:

The Board of Directors of CREATING-IT-THROUGH PRODUCTIONS, INC. and its association of fellow artists of Jamaica Plain, the Cecilia Smith Quartet, Grande Total Services; BRAZILEIRO, INC. and Humano, Inc., all support the proposed zoning amendments to the Midtown Cultural District.

As a non-profit theatre arts program, CREATING-IT-THROUGH feels that the Midtown Cultural District plan will help cement stronger relationships between the City and Boston's community art organizations, as well as to showcase artists to the most diverse audiences possible in the Boston area while enhancing the position of the arts in Boston. We also feel that the substantial addition of theatre space that would result would particularly benefit the City's performing artists.

Sincerely,

EDWARD N. WILLIAMS
Executive Director

BAAA BOSTON AFRO-AMERICAN ARTISTS

P.O. Box 121, Roxbury, Mass. 02119

To: Boston Redevelopment Authority Board

From: Boston Afro-American Artists, Inc.

Date: December 30, 1988

RE: Midtown Cultural District Testimony

State Charter
Non-Profit
Organization

The Boston Afro-American Artists, Inc. is a non-profit community based and supported organization which, for more than twenty-five years, has served individual artists and arts agencies in the Greater Boston area.

We, the members of the BAAA are enthusiastic about the development of the Midtown Cultural District in the city of Boston. As the "Hub of the Universe," the establishment of such a district in Boston will set an example of respect, love, and exploration for cultural diversity and art to the universe.

We, the members of the BAAA cherish the prospects that, at last, permanent space is available for us to "do our thing." We have plans to :

1) Orchestrate ongoing exhibitions, receptions, and auctions with member artists and special guest artists for the community at large.

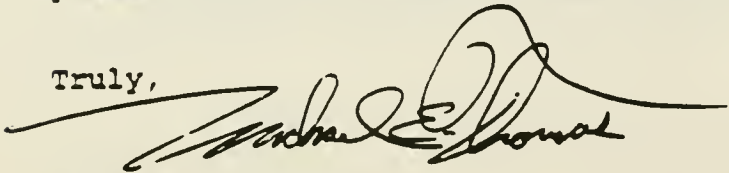
2) Implement ongoing lectures, demonstrations, and workshops for the purpose of stimulating and enhancing artistic interests and knowledge for families in shelters, senior citizens, primary and secondary school students, and member artists.

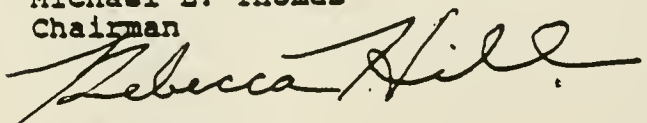
Such activities will be adequately recorded for archival and educational distribution purposes.

3) Provide authentic arts and crafts for sale to further encourage the collection and appreciation of real art (non-manufactured).

We feel that having access to our own space will allow us to develop our ideas to their maximum potential; ideas that have the potential to enlighten the darkened mind to a world of visions of the past and present for the future.

Truly,


Michael E. Thomas
Chairman


Rebecca Hill
President

華埠/南灣社區議會

CHINATOWN/SOUTH COVE NEIGHBORHOOD COUNCIL

SUITE 203
31 BEACH STREET
BOSTON, MASSACHUSETTS 02111
TELEPHONE (617) 426-8858

January 3, 1989

The Honorable Rosaria Salerno
Boston City Council
Boston City Hall
Boston, MA 02201

Dear Councillor Salerno:

The implementation of the Midtown Cultural District Plan is to be applauded, especially if one walks down lower Washington Street and sees its dilapidated condition. Growing up on Boston, I have seen what lower Washington Street was and how vibrant Downtown Crossing is and what Midtown will be. The Midtown Plan is essential for the rebirth of Downtown and Chinatown.

The community benefits to be derived from the Midtown Development will greatly aid Chinatown in the construction of 500 units of much needed affordable housing, in the creation of thousands of job opportunities for Chinatown residents, and in the creation of child care facilities. Additionally, the success of Midtown will be a "shot-in-the-arm" to existing Chinatown businesses.

Obviously, there is concern in Chinatown over the impact of traffic and gentrification. However, these issues are being addressed by the Chinatown Master Plan and Zoning Plan.

Having worked closely with the BRA staff and being a participant in many community meetings and hearing on Midtown, I know that the BRA is sensitive to community concerns, and does respond. The evidence of this sensitivity are the many changes in the plan since there initial presentation in July.

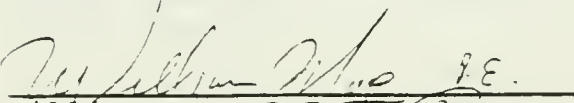
I know it is hard to please everyone, but the BRA has worked long hours to formalize a plan that can work and minimize impacts on the surrounding neighborhoods.

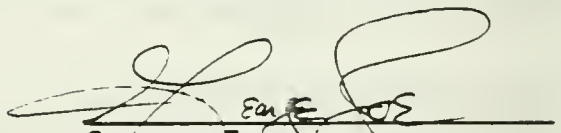
I and the Board of the Chinatown/South Cove Neighborhood Council will be looking forward to a close working relationship in 1989. The best is yet to come.

Happy New Year.

Very truly yours,

Chinatown Neighborhood Council


William Moy, P.E.
Co-Moderator


George Joe
Executive Director

cc: Stephen Coyle
Kristen McCormack
Ting Fun Yeh

華埠/南灣社區議會

CHINATOWN/SOUTH COVE NEIGHBORHOOD COUNCIL

SUITE 203
31 BEACH STREET
BOSTON, MASSACHUSETTS 02111
TELEPHONE (617) 426-8858

January 3, 1989

The Honorable David Scondras
Boston City Council
Boston City Hall
Boston, MA 02201

Dear Councillor Scondras:

The implementation of the Midtown Cultural District Plan is to be applauded, especially if one walks down lower Washington Street and sees its dilapidated condition. Growing up on Boston, I have seen what lower Washington Street was and how vibrant Downtown Crossing is and what Midtown will be. The Midtown Plan is essential for the rebirth of Downtown and Chinatown.

The community benefits to be derived from the Midtown Development will greatly aid Chinatown in the construction of 500 units of much needed affordable housing, in the creation of thousands of job opportunities for Chinatown residents, and in the creation of child care facilities. Additionally, the success of Midtown will be a "shot-in-the-arm" to existing Chinatown businesses.

Obviously, there is concern in Chinatown over the impact of traffic and gentrification. However, these issues are being addressed by the Chinatown Master Plan and Zoning Plan.

Having worked closely with the BRA staff and being a participant in many community meetings and hearing on Midtown, I know that the BRA is sensitive to community concerns, and does respond. The evidence of this sensitivity are the many changes in the plan since there initial presentation in July.

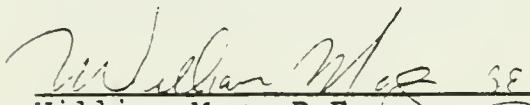
I know it is hard to please everyone, but the BRA has worked long hours to formalize a plan that can work and minimize impacts on the surrounding neighborhoods.

I and the Board of the Chinatown/South Cove Neighborhood Council will be looking forward to a close working relationship in 1989. The best is yet to come.

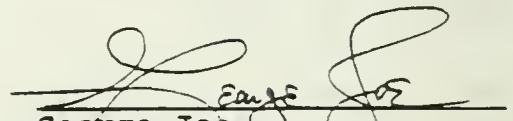
Happy New Year.

Very truly yours,

Chinatown Neighborhood Council



William Moy, P.E.
Co-Moderator



George Joe
Executive Director

cc: Stephen Coyle
Kristen McCormack
Ting Fun Yeh

華埠/南灣社區議會

CHINATOWN/SOUTH COVE NEIGHBORHOOD COUNCIL

SUITE 203
31 BEACH STREET
BOSTON, MASSACHUSETTS 02111
TELEPHONE (617) 426-8858

January 3, 1989

The Honorable James Kelly
Boston City Council
Boston City Hall
Boston, MA 02201

Dear Councillor Kelly:

The implementation of the Midtown Cultural District Plan is to be applauded, especially if one walks down lower Washington Street and sees its dilapidated condition. Growing up on Boston, I have seen what lower Washington Street was and how vibrant Downtown Crossing is and what Midtown will be. The Midtown Plan is essential for the rebirth of Downtown and Chinatown.

The community benefits to be derived from the Midtown Development will greatly aid Chinatown in the construction of 500 units of much needed affordable housing, in the creation of thousands of job opportunities for Chinatown residents, and in the creation of child care facilities. Additionally, the success of Midtown will be a "shot-in-the-arm" to existing Chinatown businesses.

Obviously, there is concern in Chinatown over the impact of traffic and gentrification. However, these issues are being addressed by the Chinatown Master Plan and Zoning Plan.

Having worked closely with the BRA staff and being a participant in many community meetings and hearing on Midtown, I know that the BRA is sensitive to community concerns, and does respond. The evidence of this sensitivity are the many changes in the plan since there initial presentation in July.

I know it is hard to please everyone, but the BRA has worked long hours to formalize a plan that can work and minimize impacts on the surrounding neighborhoods.

I and the Board of the Chinatown/South Cove Neighborhood Council will be looking forward to a close working relationship in 1989. The best is yet to come.

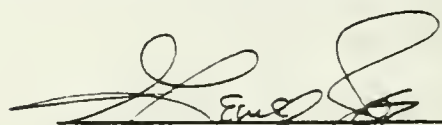
Happy New Year.

Very truly yours,

Chinatown Neighborhood Council



William Moy, P.E.
Co-Moderator



George Joe
Executive Director

cc: Stephen Coyle
Kristen McCormack
Ting Fun Yeh

BOSTON PUBLIC LIBRARY



3 9999 06315 261 3

